United Nations A/61/PV.50

General Assembly

Sixty-first session

Official Records

50th plenary meeting
Wednesday, 8 November 2006, 10 a.m.
New York

President: Ms. Al Khalifa ..... (Bahrain)

The meeting was called to order at 10.10 a.m.

Agenda item 18

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General (A/61/132)

Draft resolution (A/61/L.10)

Amendment (A/61/L.19)

Mr. Maqungo (South Africa): On this important occasion, the Chairman of the Group of 77 and China, Ambassador Kumalo, would have preferred to deliver this statement himself. However, due to the fact that he is traveling, I, as Chargé, have the honour to speak on behalf of the Group of 77 and China.

The heads of State and Government of the Group of 77 and China at the Second South Summit, held in Qatar in June 2005, condemned the use of economic coercive measures designed to prevent countries from exercising their right to decide their own political, economic and social systems, and called on all countries not to recognize unilateral extraterritorial laws which impose sanctions on other States and foreign companies. The heads of State and Government also recognized that the embargo has caused a high degree of economic and financial damage that has negatively impacted on the welfare and well-being of the people of Cuba.

At the thirtieth annual ministerial meeting of the Group of 77 and China, the ministers once again firmly rejected the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, including unilateral sanctions against developing countries, and reiterated the urgent need to eliminate them immediately. They emphasized that such actions not only undermine the principles enshrined in the Charter of the United Nations and international law, but also severely threaten the freedom of trade and investment. They therefore called on the international community neither to recognize those measures nor to apply them.

The Group of 77 and China is guided by the basic norms of international law and conduct in its principled support for the need to eliminate coercive economic measures as a means of political and economic coercion. The Group of 77 and China believes that constructive dialogue can foster mutual trust and understanding, as well as engender harmony and peaceful coexistence between nations.

The Group of 77 and China has therefore consistently opposed all aspects of the embargo imposed by the United States of America against Cuba. The Group of 77 and China views the continued imposition of an economic, commercial and financial embargo as a violation of the principles of the sovereign equality of States and of non-intervention and non-interference in each other's domestic affairs.

The Group of 77 and China is committed to working towards a better world for all in which

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

06-60788 (E)

nations, no matter how large or small, coexist peacefully. The achievement of such peaceful coexistence among nations requires adherence by all nations to the rule of law, including international law.

The action by the United States of America against the Republic of Cuba has lasted for 49 years, with 70 per cent of Cubans having been born under the embargo. Yet, that long-standing economic, commercial and financial embargo has been consistently rejected by a growing number of Member States to the point at which the opposition has become almost unanimous.

Thus, the need to respect international law in the conduct of international relations has been recognized by most members of this body, as has been evidenced by the growing support for the draft resolution that we are to adopt today. The States Members of the United Nations have been considering this item and support has grown steadily from 59 Member States opposing the United States embargo of Cuba in 1992 to 182 last year.

I believe that the presence of such a large number of Member States in this Hall today and their participation in these deliberations are indications of their opposition to unilateral extraterritorial measures. They express their firm opposition to unilateral measures as a means of exerting pressure on developing countries, as such measures are contrary to international law, international humanitarian law, the United Nations Charter and the norms and principles governing peaceful relations among States.

The Group of 77 and China, in accordance with international laws and norms, will again support the draft resolution before us today. We do so because that relentless and unilateral action has caused untold suffering to the people of Cuba. Considering the impact that this embargo has had on the every day lives of the Cuban people, it is therefore no surprise to see that the overwhelming majority of Member States are here today to join in the support for the Cuban people.

Mr. Severin (Saint Lucia): I am honoured to address this Assembly on behalf of the States members of the Caribbean Community (CARICOM).

The Caribbean Community aligns itself with the statement made by the representative of South Africa on behalf of the Group of 77 and China.

The situation affecting Cuba is of significant importance to countries of the wider Caribbean and remains a source of continuing concern and disquiet. The United Nations Charter is very clear regarding such matters as respect for the sovereign equality of States, non-interference in the internal affairs of States, the self-determination of peoples, the peaceful settlement of disputes, and the maintenance of friendly relations between States. For States members of the Caribbean Community, those principles constitute core elements in the conduct of our international relations, and our adherence to them is paramount. We take note of the report of the Secretary-General in document A/61/132, which contains an impressive catalogue of replies from Member States and from United Nations bodies on the matter of the embargo against Cuba.

CARICOM member States have been consistent over the years in their opposition to the embargo, which has caused untold hardship to the people of Cuba. The introduction of new legislative and administrative arrangements in the last few years, with the expressed intent of strengthening the embargo, has only served to intensify that hardship. We continue to oppose this imposition of unilateral punitive measures, in particular the extraterritorial application of national legislation.

CARICOM States reaffirm the positions of the Group of 77 and China and the Movement of Non-Aligned Countries in opposing such unilateral actions. We maintain the position that constructive engagement and peaceful negotiations remain the only acceptable means for advancing long-term peace and stability.

Cuba is the most populous State of the Caribbean region and an integral part of the Pan-Caribbean process. Caribbean ties with Cuba have historical significance, cemented by years of active cooperation at various levels. The member States of the Caribbean Community continue to maintain close relations with Cuba through a wide range of programmes of cooperation in areas including trade, health care, the global fight against HIV-AIDS, and human resources development.

The CARICOM-Cuba Joint Commission, established to foster mutual cooperation, remains committed to widening and deepening those collaborative efforts. CARICOM continues to engage Cuba in a constructive and mutually beneficial partnership that has yielded concrete benefits for the people of the Caribbean.

Cuba's assistance to CARICOM States and others, through the assignment of health-care personnel and the provision of medical care, continues to be an important sign of its commitment to regional cooperation. As a small State whose economy has been subjected to a crippling embargo over the past four decades, Cuba continues to impress the world with its boundless capacity for providing assistance in the areas of health care and education to other countries that are disadvantaged.

CARICOM States have been beneficiaries of that assistance. Within the past year, thousands of CARICOM nationals benefited from the Cuban eye care programme aptly called the Miracle Programme. Thousands more have continued to benefit from scholarships in tertiary and professional-level education.

Cuba is an integral part of the Caribbean region and threatens no one. It should not be isolated or excluded from participation in regional and hemispheric processes. That country's commitment to the social and economic development of the Caribbean continues to be well demonstrated.

CARICOM reiterates its unwavering support for the right of the Cuban people to self-determination in a manner beneficial to their social and economic development. The embargo imposed against Cuba is an anachronism and serves no useful purpose in the twenty-first century. It has served only to preserve a state of tension between two neighbouring countries and to generate concern, disquiet and discomfort throughout the Caribbean Basin.

The Caribbean Community enjoys friendly relations with the United States of America. In that spirit, we urge its Government to bring an end to the embargo and to engage in constructive dialogue with the intention of normalizing relations with Cuba. Such an initiative would remove a source of tension and conflict, and significantly enhance the prospects for peace, poverty alleviation, development and cooperation within the hemisphere of the Americas.

It is in that context that CARICOM States support the contents of the draft resolution presently before the General Assembly and will vote in support of its adoption. We will strongly resist any and all efforts being promoted to amend it.

Mr. Berruga (Mexico) (*spoke in Spanish*): The Government of Mexico is taking the floor to reaffirm its rejection of the application of unilateral economic embargo measures. That opposition proceeds from the legal principle, recognized in this and other multilateral forums, that discourages the use of coercive measures without prior authorization in accordance with the provisions established in that regard by the Charter of the United Nations.

Mexico reaffirms that any kind of political, economic or military sanctions imposed against States can emanate only from decisions or recommendations formulated by the Security Council or the General Assembly. Likewise, our country regrets the serious humanitarian consequences of such sanctions — sanctions that are contrary to international law and must not stand in the way of diplomacy and dialogue, which are the ideal ways to resolve disputes between States.

The Government of Mexico has maintained that position in various agencies of the United Nations system on the basis of the fact that the United States embargo against Cuba is a unilateral policy hampering economic and social cooperation with that State. The report submitted by the Secretary-General to the General Assembly (A/61/132) on the implementation of resolution 60/12 cites many considerations arguing against the United States embargo and confirming the existence of an overwhelming consensus regarding the need to end that hostile practice.

The damage caused by the embargo is well known and well documented; we need only refer to the findings of various United Nations entities and organs. The Economic Commission for Latin America and the Caribbean has noted that the embargo imposed against Cuba for more than four decades has had a negative impact on that country's economic, political and social life. UNICEF specifically cites the harmful effects of the United States embargo on Cuba's ability to acquire the cytostatic therapies so needed by children suffering from cancer.

The United Nations Conference on Trade and Development stresses that the extraterritorial effects of the embargo imposed by Washington have significant consequences for Cuba because of the influence of United States interests in transnational corporations. According to the United Nations Human Settlements Programme, the embargo imposed against Cuba limits

the country's access to low-cost water-treatment chemicals and equipment, which has a negative impact on the environment and jeopardizes public health.

For its part, the United Nations Development Programme emphasizes that the United Nations system has encountered difficulties and restraints in carrying out technical cooperation projects in Cuba because it is impossible to acquire equipment and other products manufactured in the United States or protected by that country's patents.

The Government of Mexico bases its bilateral and multilateral relations on the general principles of international law, which regulate peaceful and civilized coexistence among sovereign States. That is why those principles have remained fully valid over time with regard to the item before us. They have been consistently reiterated since 1992, when the Government of the Republic of Cuba submitted to the General Assembly for its consideration a draft resolution aimed at ending the economic, commercial and financial embargo. Since then, Mexico has voted in favour of the resolutions adopted by the Assembly in that regard. This embargo must end.

Likewise, the Government of Mexico has been emphatic in opposing unilateral laws that jeopardize the progress made towards greater cooperation, integration and free trade. Thus, through different mechanisms, it has conveyed to the international community its position against national laws with extraterritorial effects on third countries, in violation of international law.

Mexico emphatically rejects the amendment proposed by Australia last night, since it not only ignores the thrust of agenda item 18 but also appears to be a dangerous attempt to justify an economic embargo that clearly and flagrantly contravenes international law and the principles enshrined in the Charter of the United Nations.

At this session of the General Assembly, Mexico, for the fifteenth time, reiterates its support for the draft resolution on the lifting of the United States embargo against Cuba. It is time for that resolution, which has received near-unanimous support from the Assembly, to be translated into reality.

The President: I should like to propose that the list of speakers in the debate on this item be closed.

I hear no objection.

It was so decided.

Mr. Le Luong Minh (Viet Nam): At the outset, I would like to thank the Secretary-General for his report on the implementation of resolution 60/12, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (A/61/132). My delegation warmly welcomes the presence of Mr. Felipe Pérez Roque, Minister of Foreign Affairs of the Republic of Cuba, at this plenary meeting of the General Assembly. In that connection, we align ourselves with the statement made by the representative of South Africa on behalf of the Group of 77 and China.

For over four decades, the economic, commercial and financial embargo imposed by the United States of America against Cuba has been severely hindering Cuba's economic and social development, causing numerous hardships and difficulties for the Cuban people. According to information provided by the Government of Cuba, direct economic damages caused by the embargo to the Cuban people exceed $86.1 billion. Last year alone, damages exceeded $4.108 billion. Those figures are indeed appalling.

Because of its adverse effects on the livelihood of the Cuban people and of its extraterritorial character, this embargo imposed by the United States of America against Cuba has since 1992 been repeatedly rejected by the international community through 14 identical resolutions, adopted every year by the Assembly by an absolute majority.

The General Assembly has over the past 14 years urged the United States to put an end to this embargo, reaffirming the sovereign equality of States, the principles of non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, and expressing concern at the continued promulgation and application by Member States of laws and regulations, the effects of which affect the sovereignty of other States and the legitimate interests of persons under their jurisdiction.

However, despite the urging of the General Assembly and of many intergovernmental forums and bodies, the embargo has not only remained intact but has in fact been tightened through the enforcement of laws and provisions of a distinctly extraterritorial character. The embargo, which runs counter to the fundamental principles of international law, the United Nations Charter and the World Trade Organization

(WTO), has become the longest-ever in history. Its prolongation will only cause further tension in the context of the bilateral relations between the United States and Cuba and result in further hardships and difficulties for the Cuban people, especially those most vulnerable, such as women and children. This situation requires an urgent solution.

It remains the fundamental position of the Vietnamese Government that every State has the inalienable right to determine its own political system and path of development suitable to its own specific conditions. Viet Nam believes that the differences between the United States and Cuba can and should be settled through dialogue and negotiations, on the basis of mutual respect, respect for each other's independence and sovereignty, and non-interference in each other's internal affairs. We believe that the normalization and development of friendly relations between these two geographically close neighbours can only serve the interests of their peoples and those of regional and international peace and security.

We encourage steps in that direction, and, acting in the spirit of the 14 General Assembly resolutions mentioned earlier — most recently resolution 60/12, adopted last year — we join others in calling upon the United States of America to end its economic, commercial and financial embargo against Cuba.

Let me conclude by affirming that the Vietnamese people's sentiments of friendship and solidarity with the Cuban people will be further strengthened. The Vietnamese Government and people, together with other countries and peoples, will continue to do their utmost to assist the Government and the people of Cuba in overcoming the effects of the embargo.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation associates itself with the statement made by South Africa on behalf of the Group of 77 and China.

Each year for 15 consecutive years, the General Assembly has adopted a resolution urging all countries, in compliance with the Charter of the United Nations and the principles of international law, to repeal or invalidate all laws and measures with extraterritorial effects that compromise the sovereignty of other States, undermine the legitimate rights and interests of entities and persons under the jurisdiction of those States and affect their freedom of trade and navigation. Regrettably, today, the economic, commercial and financial embargo against Cuba is still in place.

In this age of globalization, exchanges and cooperation among countries, on an equal footing, represent the trend of our time. Normal economic, commercial and financial ties among countries are in the interest of all countries and are by no means a favour bestowed by any one country on others. Dialogue on an equal footing is the best way to resolve differences.

For more than 40 years, an embargo and sanctions have been imposed against Cuba under the pretext of promoting democracy, freedom and human rights in Cuba. But what is the reality? First, the practice of attempting to force another country to give up its independently chosen path of development, even to overthrow its Government, through an embargo and sanctions constitutes a violation of the purposes and principles of the Charter of the United Nations and of the basic norms governing contemporary international relations. Such practices have nothing to do with promoting democracy and freedom.

Secondly, the embargo and sanctions imposed on Cuba are extraterritorial in nature and are therefore in violation of international law and the principles, objectives and rules of international trade. They also run counter to the principle of trade liberalization.

Thirdly, the embargo and sanctions against Cuba have seriously obstructed and constrained the efforts of the Cuban people to eradicate poverty, improve their living standards and achieve economic and social development. The embargo and sanctions pose a grave threat to the enjoyment by the Cuban people of the rights to life and to development.

The facts show that some 40 years of embargo and sanctions against Cuba have not only harmed the interests of that country and others, thus seriously hampering development efforts at the international level, but also contradict the principles of democracy, freedom, the rule of law and human rights, thus completely defeating the policy goals claimed by the country concerned. While harming others, they do not benefit the imposer itself either.

The Chinese Government always adheres to the purposes and principles of the United Nations Charter, advocates the sovereign equality of States and non-interference in each other's internal affairs, and

endeavours to promote democracy and the rule of law in international relations. We believe that countries should, in the light of their specific national conditions, choose their own political, economic, and social systems and mode of development. We are of the view that differences and disputes between States should be solved through dialogue and cooperation on the basis of equality and mutual respect.

In view of all that, the Chinese Government resolutely opposes the economic, commercial and financial embargo and sanctions imposed on Cuba. It is our hope that the country concerned will take concrete actions, engage in dialogue instead of confrontation, carry out contacts and exchanges instead of embargo and sanctions, and implement the relevant United Nations resolutions without delay. China therefore supports the draft resolution submitted by Cuba under the current agenda item.

Mr. Godard (United States of America): The United States trade embargo is a bilateral issue and as such should not come before the General Assembly. We maintain the embargo to demonstrate our continuing call for economic and political freedom for all Cubans. We maintain the embargo so that the benefits of United States food and medical sales go to the Cuban people, not to privileged leaders.

Cuba has introduced the draft resolution claiming that the embargo adversely affects the Cuban people, cynically asking everyone to ignore the truth that the Cuban Government's policy of systematically denying the human, economic, labour and political rights of its people over 47 years is the real source of the adverse affects on the Cuban people. Yet the Cuban Government asks that members vote to blame the United States for its failures.

The draft resolution inaccurately blames the United States trade embargo for the hardships of the Cuban people, while exonerating the Cuban Government's own policies, which deny the right of the Cuban people to a fair wage, to own and operate a business, to buy and sell property, to freely associate and to freely express their opinions. The United Nations Economic Commission for Latin America and the Caribbean has concluded that Cuba must promote small business opportunities to bring life to the Cuban economy, but the Cuban Government has refused to accept the need for the kind of free market reforms that would bring opportunities to the Cuban people.

Today's draft resolution also inaccurately claims that the United States embargo is a violation of freedom of navigation. In fact, the United States embargo does not prevent the rest of the world from trading with Cuba or providing Cuba with access to food or medicine. In fact, since 1992, the United States has licensed over $1.5 billion in the sale and donation of medicine and medical equipment for the Cuban people, and over $8 billion worth of agricultural commodities in the past years. In November 2005, the head of Cuba's food importing agency confirmed that the United States was Cuba's biggest food supplier.

If the Cuban Government wants the United States to end the embargo, it knows what is needed: reforms that will benefit the Cuban people, such as free and fair elections, an open economy, independent trade unions and a free press, to name a few. In 2002, President Bush made clear that his response to such concrete reforms would be an effort with the United States Congress to ease restrictions on trade and travel between the United States and Cuba. However, four years have passed and the Cuban Government has answered the challenge for freedom only with imprisonment for human rights leaders and trade unionists.

The draft resolution blames the United States embargo for the adverse impact on the Cuban people, but does not refer to the Cuban Government's own embargo against its people — an embargo that even prevents United Nations and international human rights investigators from traveling to Cuba and meeting freely with the Cuban people. The draft resolution does not condemn that embargo.

The United States supports the right of the Cuban people to determine their own future freely through a genuine transition to political and economic liberty. We recall the words of José Martí, "El Apostol", as he is known, who said that "only oppression should fear the full exercise of freedom".

We will vote against the draft resolution and we encourage all delegations that support the rights of and a transition to freedom for the Cuban people to do the same. We should send a clear message to the Cuban Government that it is not the embargo, but rather its own denial of the basic human rights of its people, that is the cause of their suffering.

Mr. Atiyanto (Indonesia): Time and again, we have had to address the issue of ending the economic,

commercial and financial embargo imposed on Cuba. In reflecting on this matter, Indonesia associates itself with the views expressed by the representative of South Africa on behalf of the Group of 77 and China.

Let me thank the Secretary-General for his comprehensive report as contained in document A/61/132. The report presents opinions of Member States, expressing unanimously, their disagreement and opposition to the application of the unilateral and extraterritorial economic, commercial and financial embargo against Cuba.

Indonesia's long-standing position on this issue is well known. It is based on the principle that the application of unilateral and extraterritorial economic and trade measures runs counter to the Charter of the United Nations and contravenes international law. The principles of non-intervention in countries' internal affairs and the freedom of international trade and navigation must also be respected and upheld.

The application of an economic and trade embargo has produced negative effects in the economic and social lives of innocent people, especially women and children. These measures also constitute a major impediment to the full enjoyment of the right to development by a sovereign State and its people. They violate human rights, considering the right to development is a basic human right, and they also undermine civil and political rights, as well as economic, social and cultural rights.

This situation is not in line with the spirit of the global partnership for development as set out in the Millennium Declaration, the Monterrey Consensus and the Johannesburg Plan of Implementation. In fact, at the 2005 World Summit, our leaders strongly reiterated their determination to ensure the timely and full realization of the development goals and objectives, including the Millennium Development Goals to eradicate poverty. Indonesia's position is in keeping with those expressions of global solidarity.

Based on those principles, Indonesia will vote in favour of draft resolution A/61/L.10 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America on Cuba. In this regard, we want, once again, to emphasize the fact that the continuation of the economic, commercial and financial embargo on Cuba will only serve to maintain high tensions between the two neighbouring countries. This certainly will not bring us very far in our commitment to and respect for the purposes and principles of the Charter of the United Nations and international law. Both of these are indispensable foundations for a more peaceful, prosperous and just world. In such situations, democracy has limited space within which to develop.

The President: I now give the floor to His Excellency Mr. Felipe Pérez Roque, Minister for Foreign Affairs of Cuba, to introduce draft resolution A/61/L.10.

Mr. Pérez Roque (Cuba) (*spoke in Spanish*): This is the fifteenth consecutive occasion that Cuba is submitting to the General Assembly the draft resolution, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". We do so in defence of the rights of the Cuban people, but also in defence of the rights of the American people and the rights of the peoples represented in this Assembly.

The economic war unleashed by the United States against Cuba, the longest and most ruthless ever known, qualifies as an act of genocide and constitutes a flagrant violation of international law and the Charter of the United Nations. Throughout the past 48 years, the United States blockade has caused economic damage to Cuba of over $86 billion. Seven in every ten Cubans have, from the time of their birth, lived, suffered from and endured the effects of the blockade, which attempts to defeat us through hunger and disease.

The blockade prevents Cuba from trading with and receiving tourism from the United States. It prevents Cuba from using the United States dollar in its external transactions and from receiving credits or engaging in operations with United States banks or their subsidiaries in other countries. The blockade does not allow the World Bank or the Inter-American Development Bank to give even a modest loan to Cuba.

But more serious than all that is that the Untied States blockade imposes its criminal provisions on Cuba's relations with other countries that make up this General Assembly.

We have seen how the representatives of the United States Government have again repeated the same fallacious arguments — the same lies as in previous years. It is a lie when they say that this is a

bilateral matter, when they say that Cuba can trade and purchase in other countries what it cannot buy in the United States, when they say that the United States does not pursue the vessels of other countries that attempt to come to Cuba and when they say that Cuba uses the embargo as a pretext. I repeat to the delegate of the United States what has been said in past years: if the United States Government is of the view that Cuba uses this as a pretext, then why do they not remove this pretext by lifting the embargo? Why do they not remove the embargo against Cuba if the United States' opinion is that Cuba is using it as a pretext to justify its failure?

The blockade prevents Cuba from trading with companies based in Member States, not just United States enterprises, but enterprises of Member States that are subsidiaries of United States corporations. Vessels with flags from Members countries cannot call at United States ports if they have previously carried goods from or to Cuba. That is the Torricelli Act, signed by President Bush, senior, in 1992.

The United States blockade also prevents companies from the rest of the world — those of your countries, fellow members — from exporting to the United States products containing Cuban raw materials, and it prevents those companies from exporting to Cuba products or equipment containing more than 10 per cent American components. That is the truth of the matter. The blockade pursues the businesses of other countries, not just those of the United States. Others — your compatriots, fellow members — who seek to make investments in Cuba, along with their families, are threatened with refusal of entry into the United States and they can even be brought to trial in United States courts. That is the Helms-Burton Act of 1996.

I am not going to give endless examples that prove what I have said. The Secretary-General has issued an extensive report (A/61/132), with the feedback of 96 countries and 20 international agencies and organizations, which unequivocally reveals the hardships and shortages that the blockade imposes on the lives and development of the Cuban people.

We consider it important to inform the General Assembly about the plan for the reconquest of Cuba approved by President Bush in May 2004 and updated in July 2006. In it, we can clearly see what the United States Government would do in our country if it ever had it under its control. According to the President of the United States, what is most important is to return all of the properties in Cuba to their former owners. That would include, for example, taking the land away from the hundreds of thousands of farmers in Cuba who now own their own land, either individually or in cooperatives, in order to reinstate the system of big landowners. That would also mean evicting millions of Cuban landowners from their homes in order to return their properties or plots of land to their former claimants.

President Bush describes this as an accelerated process that would be under the complete control of the United States Government — which, for those purposes, would set up a so-called commission for the restitution of property rights.

Another structure would also be established — a United States Government standing committee for the economic reconstruction of Cuba, which would run the process of implementing in Cuba an extremely harsh neoliberal adjustment programme that would include the unbridled privatization of education and health services and the elimination of social security and welfare. Retirement benefits and pensions would be removed and retirees would be offered the chance to do construction work as part of a so-called corps of Cuban retirees.

President Bush recognizes in the plan that it will not be easy to apply the plan in Cuba. Therefore, he instructs the State Department to create a repressive apparatus as an immediate priority, which we imagine will be trained in the brutal techniques of asphyxiation that Vice-President Cheney does not consider to be torture, in order to stifle the unrelenting resistance of the Cuban people. It is even recognized that there will be a long list of Cubans to be persecuted, tortured and massacred.

The plan even contemplates a central child adoption centre to hand over to families in the United States and in other countries the children of those parents who lay down their lives fighting or become victims of repression. That entire cynical and brutal programme to recolonize a country after destroying and invading it, would be run by a character who has already been appointed and whose ridiculous post, reminiscent of that of Paul Bremer, is entitled Cuba Transition Coordinator: a man named Caleb McCarry, whose only record of note is his close friendship with the terrorist groups of Cuban origin that are still

masterminding and executing from Miami, with complete impunity, new assassination plots and acts of sabotage against Cuba.

Those are the same groups that are asking President Bush to release the terrorist Luis Posada Carriles, the brains behind the explosion of a Cuban passenger aeroplane, while five courageous Cuban anti-terrorist fighters have been subjected to a cruel and prolonged imprisonment in the United States since 1998.

Two years after its enactment, most of the plan has already been implemented. Thus, new and greater restrictions were imposed on family visits to Cuba by Cubans resident in the United States. Americans who travelled to Cuba were viciously persecuted. In the course of the last two years, more than 800 people accused of travelling to our country have been fined. Additional constraints were imposed on the sending of remittances to Cuba. Academic, cultural, scientific and sporting exchanges have been virtually eliminated. Since 2004, 85 companies have been penalized for allegedly violating the blockade against Cuba.

The fierce persecution against our country's financial transactions and trade has been further intensified. There are also tangible results from the demented worldwide tracking conducted by the so-called Group for the Identification of Cuban Assets on everything that appears to be a payment from or to Cuba.

Along with the strengthening of the blockade, in May 2004 President Bush approved another $59 million to pay his scarce and disheartened mercenaries in Cuba with a view to fabricating a non-existent internal opposition and to pay for propaganda campaigns and illegal radio and television broadcasts against Cuba. But it was all in vain. President Bush realized that time was running out and he could not keep his promise to the extremist Cuban groups in Florida. His domestic and foreign woes were growing and continue to grow, and socialist Cuba was and still remains upright and unrelenting. Then, on 10 July 2006, President Bush added new measures to his plan.

A significant aspect of the new 93-page concoction is that it contains a secret annex, with actions against Cuba that have not been made public and which, as they explain, would not be revealed in order to achieve their effective realization and for national security reasons.

Will these include new assassination plots against Cuban leaders, more terrorist acts or a military aggression? From this rostrum, today, before the General Assembly, we challenge President George W. Bush to publicly disclose the content of that document, which he has not to date had the courage to reveal. The plan, of course, includes the allocation of additional money. This time around, it is $80 million over two years and no less than $20 million per year until the Cuban revolution is defeated — in other words, forever. There is also an increase in the radio and television broadcasts against Cuba, overtly violating International Telecommunication Union standards.

In addition, renewed efforts are being made to create a so-called coalition of countries to support so-called regime change in Cuba. The Bush plan is particularly emphatic on the extraterritorial application of the economic war against Cuba. Thus, new mechanisms are being established to improve the machinery that enforces the blockade regulations and new sanctions are being adopted.

One that stands out for its novelty is the criminal prosecution of violators. Title III of the Helms-Burton Act authorizes the filing of lawsuits in United States courts against foreign investors in Cuba, particularly those from countries supporting the continuance of the Cuban revolution.

More stringent enforcement of title IV is also envisaged. This would deny entry into the United States of investors in Cuba and their families; the persecution is aimed in particular at those investing in oil prospecting and extraction, tourism, nickel, rum and tobacco. As a tool to track down sales of Cuban nickel to other markets — not just to the United States market, but to businesses in other countries represented here as well — a so-called inter-agency Cuban nickel task force was created.

The siege is being tightened on exchanges between American and Cuban churches, and there is a ban on humanitarian donations to Cuban religious organizations.

But one new blockade measure approved by President Bush deserves particular comment. The document states that the United States will deny all exports of medical equipment that can be used in health-care programmes for foreign patients. That is, the United States Government, which has always gone out of its way to cause the failure of Cuba's

international medical cooperation programmes, now admits that its persecution may even reach the point of trying to block Cuba's purchase of necessary equipment from other parts of the world.

I must emphasize again that the embargo has reached the point of prohibiting exchanges between United States churches and Cuban churches. Churches in the United States are being forbidden from sending donations, medicines or other supplies for humanitarian use to their counterpart churches in Cuba. President Bush's blockade against Cuba has thus even declared war on United States and Cuban churches, trying to thwart the will of God. Secondly, it seeks to prevent Cuba from buying medical equipment for international medical cooperation programmes.

Some background information is essential here. Since 1962, the year in which Cuban doctors rendered assistance abroad for the first time, in Algeria, nearly 132,000 Cuban doctors, nurses and health technicians have provided services in 102 countries. At present, 31,000 Cuban health workers are rendering services in 69 countries; of those, 20,000 are physicians. Yes, 31,000 health workers are providing care in 69 countries; in many of the countries represented here.

A medical brigade specializing in catastrophes and emergency situations was established on 19 September 2005, in the midst of the scourge visited upon 2 million poor people and black people in the southern United States by the combined force of Hurricane Katrina and of the Government's irresponsibility and insensitivity. The brigade is composed of 10,000 members who are appropriately trained and equipped, and it bears the name of a young American, Henry Reeve, who gloriously laid down his life in 1873 in the Cuban countryside as a general in our liberation army. At the founding of the brigade, more than 1,500 Cuban doctors were ready to leave for the most ravaged areas and save who knows how many lives — lives which were lost after President Bush's refusal to receive them.

A total of 2,564 members of this brigade worked for eight months in Pakistan in the wake of the earthquake there. They set up 32 field hospitals that were later on donated to that brother nation. They cared for 1.8 million patients and saved 2,086 lives. Subsequently, a further 135 Cuban healers rendered assistance in Indonesia and set up two field hospitals, which were also donated. They treated 91,000 patients and performed 1,900 surgeries. Cuban doctors had previously worked in disaster areas, such as Peru in 1970, Venezuela in 1999, Sri Lanka and Indonesia in 2004 and Guatemala in 2005, to give but a few examples.

If President Bush were to succeed in his cynical plan, Cuba would be prevented from offering its modest and generous effort to other peoples, many of whom are represented here, in a field where nobody questions our development and experience.

Since 2004, Cuba has been implementing Operation Miracle, through which nearly 400,000 patients from 28 countries, not including some 100,000 Cubans, have been operated on, free of charge, and have recovered their eyesight. Our country alone could not defray all of the relevant expenses, but Cuban doctors, technicians, technology and equipment have laid the groundwork to operate on 1 million Latin American and Caribbean people every year.

If the American offensive were to succeed in curtailing this endeavour, an equivalent number of people suffering from more than 20 eye diseases would lose their eyesight. The United States Government knows this, but it does not give up on its gruesome plan to stifle Cuba. And here I am speaking only of those treated for their eyesight, and not the hundreds of millions of people benefiting from the comprehensive health-care programmes conducted by the Cuban internationalist doctors.

Cuba is not only providing medical services. It is currently providing training to more than 46,000 young medical students from 82 nations of the third world, either in Cuba or in their own countries.

Cuba will not surrender. Nor will it falter in advancing these humane endeavours, which signify that a world of peace, justice and cooperation is possible. Cuba's commitment to the rights of all the world's dispossessed is stronger than the hatred of the executioners.

Millions of Cubans are now awaiting the decision that this Assembly will take. We ask you, delegates of Member States, today to support respect for Cuba's rights, which is also respect for the rights of the peoples that you represent.

We ask you to vote in favour of the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the

United States of America against Cuba". We do so with our heads held high, with optimism and confidence, and with the hope of repeating the verses sung by a poet of our generation, Silvio Rodriguez, because in Cuba

> "Nobody is going to die,
> "Our whole life is our good-luck talisman,
> "It is our cloak.
> "Nobody is going to die,
> "Certainly not now when the anthem of the Homeland is our song." [excerpt from *Preludio de Girón*]

And if they impose a war on us, there will not be enough soldiers in the United States to cover the casualties that they would endure in a country that has resisted and has been preparing its defence for over 45 years.

This is the statement I had prepared in submitting our draft resolution. However, an unprecedented incident in this Assembly compels me to add a few remarks. For the first time since 1992, when the Assembly began considering the issue of the blockade against Cuba, the United States Government is trying to sabotage this vote through an amendment. After several weeks of exerting brutal pressure, the United States realized that it could not reverse the overwhelming support generated by this draft resolution. It then attempted to talk a large number of delegations into abstaining, and it failed. Then, it threatened and blackmailed others to reject it, and it failed again. It finally decided to boycott this vote in order to divert attention from the main issue, which is its embargo against Cuba, which is a flagrant violation of international law, and it decided that the Australian delegation would submit the draft amendment prepared in Washington.

I have here the talking points distributed by the United States on Monday, 6 November, seeking support for an amendment that Australia only presented as its own yesterday, Tuesday, 7 November, in the afternoon. It is curious that the delegation of the United States requests support in this paper for an amendment that Australia had not even decided as yet to submit. The United States tried to get one of the European Union countries to present it, but it did not succeed. It sought support in other countries, but it could not muster support there either. Finally, a very high-level call from Washington to the Minister for Foreign Affairs of Australia determined that Australia would serve as the lackey to submit the United States amendment.

Is this amendment an expression of genuine concern by Australia? No, it is not. It is merely indicative of its abject submission to the United States Government. Besides, Australia does not have the moral authority to refer to the human rights situation in Cuba. The Australian Government is an accomplice to United States imperialism. It is some sort of "pocket imperialism", always ready in the Pacific to follow its Washington mentors. Thus, not only did it cooperate with and send troops, along with the United States Army, to the war in Viet Nam, in which 4 million Vietnamese lost their lives, but it also participated enthusiastically with over 2,000 soldiers in the invasion of Iraq, an absolutely illegal preventive war. Still today, some 1,300 Australian soldiers remain in Iraq on the ground, even though a mere 22 per cent of the Australian population supports this venture.

The Australian Government, which subjects the country's aboriginal population to a real apartheid regime, does not have the moral authority to criticize Cuba. The Australian Government, which supports the torture centre of the United States in Guantánamo and which supported the summary trials in military tribunals against the prisoners that were harassed and tortured there, including Australian prisoners, does not have the moral authority to criticize Cuba. Much less so does the United States. We all saw the appalling images from the Abu Ghraib prison and the heinous images from Guantánamo. We know that they have organized and still maintain clandestine prisons and secret flights on which they have carried drugged and handcuffed prisoners. We saw the horrendous images of hurricane Katrina, when human beings were doomed to die because they were black, because they were poor. After everything we now know, this Assembly cannot be deceived or manipulated.

Therefore, on behalf of Cuba, we ask you, ladies and gentlemen, to vote first in favour of the no action motion that we will present in order to oppose the amendment proposed by Australia and, later, to vote in favour of draft resolution A/61/L.10 submitted by Cuba.

The United States representative has raised in his speech before this Assembly the sacred name of José Martí, the apostle of Cuban independence, and, in

doing so, he stained this glorious name of a man who said that the war waged in Cuba for independence was to prevent the imposition of United States control over the islands of the Caribbean. Our delegation takes offence at the use of the name of José Martí to justify the embargo. I would remind the General Assembly, and in particular the delegation of the United States, that José Martí also said that trenches of ideas are more valuable than trenches made of stone. It is trenches of ideas that have made the noble, generous and heroic people I represent here invincible.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): I would like at the outset to associate my country, the Syrian Arab Republic, with the statement delivered by the Permanent Representative of South Africa on behalf of the Group of 77 and China.

The purposes and principles of the United Nations Charter underscore the right of States to exercise sovereignty over their own territory and the rule of non-interference in the internal affairs of other States. All United Nations Member States, especially the major Powers that contributed to the drafting of the Charter and who themselves suffered the bitterness of Nazi and fascist interference in their affairs and encroachment on their sovereignty during the Second World War, are expected to respect the Charter more than other States, because the Charter is the constitution of this Organization and its ultimate frame of reference.

The unilateral embargo imposed by the United States against Cuba and the new measures aimed at tightening this embargo are in contradiction with the Charter and the principles of international law, in particular the principles of equal sovereignty among States, non-interference in their internal affairs and free international trade and navigation. Thus, the embargo inevitably becomes illegal and contradicts the criteria agreed on by the international community regarding relations among States.

The embargo imposed against Cuba some 48 years ago set a precedent for unilateral behaviour by Member States outside the framework of international law. The embargo has subjected Cuba to economic, political and social losses of every kind; it has entrenched the suffering of the Cuban people, especially children and the elderly; and it has had an impact on the Cuban people's intensive efforts to achieve well-being and prosperity. The embargo continues to harm the Cuban economy, which has directly lost some $86 billion, in addition to tens of billions of dollars in indirect losses. Moreover, the embargo continues to harm the social and cultural development of the Cuban people. It has also deprived the Cuban people of the opportunities and benefits of trade. The embargo directly violates the basic freedoms and human rights of the Cuban people, including the right to live in dignity and the right to development.

My delegation commends Cuba's continued efforts to conduct a constructive dialogue with the United States of America in order to settle all issues under dispute between the two countries on the basis of equal sovereignty, mutual respect, non-interference in the internal affairs of States, and respect for the principles and purposes of the United Nations Charter and for the principle of good-neighbourliness. My delegation believes that normalization of relations between the United States and Cuba would be in the interest of the peoples of the two countries.

Syria underscores the right of peoples freely to select their own political, economic, social and cultural systems, in accordance with international law. The support of 182 States for resolution 60/12 at the previous session is a clear indication of the determination of the overwhelming majority of the international community to end the unjust embargo imposed against Cuba and to emphasize the need to respect the national political, economic and social systems that every country selects of its own free will in accordance with its own national interests.

In that regard, we would like to recall the Final Document of the recent Conference of heads of State or Government of the Non-Aligned Movement, held in Havana. Heads of State or Government again called upon the United States of America to put an end to the unilateral economic, commercial and financial embargo against Cuba. It also expressed the concern of the countries of the Non-Aligned Movement over the widening of the embargo against Cuba and the continuous new legislative measures aimed at intensifying the embargo.

We would also like to recall the Doha Declaration, adopted by the developing countries at the Group of 77 and China's Second South Summit, held in Qatar in 2005, in which the Summit categorically rejected laws and regulations with extraterritorial impact and all other forms of coercive economic

measures. The Summit expressed grave concern over the negative impact of economic sanctions on the development capacity of targeted countries. It made a special appeal in the name of all the leaders of the developing countries for the immediate lifting of the embargo against Cuba.

The international community has repeatedly expressed its rejection of the unilateral sanctions against Cuba and their extension by the so-called Helms-Burton Act adopted by the United States. That act extends the jurisdiction of United States national legislation and encroaches on the sovereignty of other States that deal with Cuba. This is incompatible with the principle of the sovereign equality of States and with international law. Syria also condemns the recent expansion of aggressive United States policies against Cuba, including through the threat of use of military force, in clear violation of the Charter of the United Nations.

Despite all the previous appeals by the General Assembly over the past 15 years, the United States Government has not yet taken any steps to respond to the will of the international community. Moreover, the United States intentionally and stubbornly continues its incorrect disregard for the legitimate requests of the international community.

Furthermore, the United States has imposed new measures to tighten the embargo on independent, sovereign Cuba. The behaviour of the United States of America and the measures it takes pose a clear threat to the independence, sovereignty, unity and territorial integrity of Cuba; this directly threatens stability in the region and constitutes a blatant threat to international peace and security.

The Security Council and the General Assembly, in accordance with their mandates, are called upon to take all necessary measures to put an end to the embargo, the economic sanctions and the hostile policies and measures of the United States both against its neighbouring countries and against other Member States geographically distant from the United States. In that regard, my delegation hopes that all elements of the embargo imposed by the United States against Cuba will be lifted and that the international community's voice, as expressed by the General Assembly and other bodies, will be heeded and complied with by the United States. My country, Syria, will therefore vote in favour of the draft resolution.

Mr. Raghavan (India): We associate ourselves with the statement made by South Africa on behalf of the Group of 77 and China. The embargo and sanctions imposed by the United States against Cuba have been in place for over four decades and have been a subject of discussion in the General Assembly for 15 successive sessions.

The embargo has had an impact on Cuban efforts to eradicate poverty, improve livelihoods and promote socio-economic development. It has also hindered the full enjoyment of human rights, such as the right to development, and the right to food, medical care and social services which, despite these constraints, are of a high order.

The American Association for World Health concluded that with regard to its impact on the Cuban health system, the embargo caused a significant rise in suffering, with patients going without essential drugs, or doctors performing medical procedures without adequate equipment. The embargo also continued to have an impact on food aid deliveries. The negative impact of the embargo in the educational sector is linked to trade restrictions that prevent the purchase of needed imports at more competitive prices.

The embargo and sanctions have limited Cuba's access to markets, capital, technology and investment and are not in conformity with multilateral trading regimes and cannot be justified even under the "essential security interests" exception clause of the World Trade Organization's General Agreement on Trade in Services.

Under normal conditions, Cuba and the United States would be natural economic partners, benefiting mutually from trade. It is our understanding that a considerable part of United States businesses would like to take advantage of the Cuban market. Imports of United States food and agricultural products, which account for 13 per cent of total Cuban imports of food and agricultural products, reflects the impact of the United States legislation enacted in 2000 that eased food and medical sanctions against Cuba. According to some estimates, the potential loss to United States business ranges between $1 billion to $15 billion.

The General Assembly has rejected laws and regulations with extraterritorial impact and all other forms of economic coercion. The Assembly has adopted resolutions urging all countries to comply with the Charter and principles enshrined in legal

instruments and to repeal or invalidate all laws and measures that carry extraterritorial effects, bearing on the sovereignty of other States, the legitimate rights and interest of peoples or entities under their jurisdiction, and the freedom of trade and navigation. Sanctions, irrespective of their purpose, have to comply with the international legal principles of non-intervention and proportionality.

We share the view expressed by the countries which have reiterated their opposition to the extraterritorial aspect of the economic embargo that was implemented in accordance with the 1992 Cuban Democracy Act (the so-called "Torricelli Law"), and the 1996 Helms-Burton Act, through which the extraterritorial reach of the embargo encompasses foreign companies as well as foreign subsidiaries of United States companies doing business with Cuba.

Mr. Wenaweser (Liechtenstein), Vice-President, took the Chair.

India, one of the largest democracies in the world, has consistently opposed any unilateral measures by countries which impinge on the sovereignty of another country, including any attempt to extend the application of a country's laws extraterritorially to other sovereign nations. India believes that efforts to consolidate endeavours in creating and strengthening an economic environment capable of providing equal opportunities to all countries are required and that the international community needs to redouble its efforts to have an environment free from sanctions and embargoes.

Mr. Gharibi (Islamic Republic of Iran): At the outset, my delegation would like to fully associate itself with the statement made by the representative of South Africa on behalf of the Group of 77 and China.

There is no doubt that the blockade is in violation of the internationally agreed principles governing relations among States, such as the sovereign equality of States, non-intervention in their internal affairs, and freedom of international trade and navigation. As my delegation has reiterated in previous statements, unilateral coercive economic policies and measures should be regarded as major impediments to the international community in pursuing its common causes and interests. Such measures run counter to the promotion of cooperation and partnerships which is required for the creation of a favourable environment for the benefit of all at the international level.

The reports of the Cuban Government on the impact of the embargo clearly indicate that such unilateral measures have been conducive to further disparities in the areas of health, economy, education and training, trade, tourism, civil aviation, and even cultural activities. The adoption of 14 consecutive resolutions up to 2005 by the United Nations General Assembly is the reaction of the international community to such measures.

These resolutions call upon all States to refrain from applying laws and measures of this kind and take necessary steps to repeal or invalidate them as soon as possible. The reason is crystal clear. Resorting to embargo as a tool to achieve political objectives undermines the collective efforts of Member States for achieving economic growth and sustainable development at national, regional and international levels.

I would also like to recall that the Johannesburg Plan of Implementation called upon States to refrain from any unilateral measure as contravening international law and the United Nations Charter, and as impeding the full achievement of economic and social development by the population of the affected countries, in particular women and children.

The Johannesburg Plan also indicates that such unilateral measures hinder the well-being of the affected people and create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being, a right to food, medical care and necessary social services.

The Johannesburg Plan of Implementation also stipulates that States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries. It adds that trade policy measures for environmental purposes should not constitute a means of arbitrary unjustifiable discrimination in international trade.

The 2005 World Summit Outcome (resolution 60/1) reaffirmed the commitment of all countries to ensure that developing countries participate fully in the world trading system in order to meet the needs of their economic development. The Summit of the Non-Aligned Movement, held in September 2006 in Havana, Cuba, reiterated its position on this issue. The Summit called upon the Government of the United

States of America to put an end to the economic, commercial and financial embargo against Cuba, which, in addition to being unilateral and contrary to the purposes and principles of the United Nations Charter, international law and the principle of good-neighbourliness, is causing huge material losses and economic damage to the people of Cuba.

My delegation believes that resorting to unjustifiable economic coercive measures against other States on the basis of political criteria is not acceptable to the international community. The extraterritorial application of internal laws creates an antagonistic environment in international relations and adversely affects world peace and security. Such political acts with economic implications continue to restrict investment, trade, employment, technology transfer and the prospects for economic growth not only of the targeted countries but also of other countries.

We hope that those Member States which continue to apply unilateral coercive economic laws and measures will take the necessary steps to repeal or invalidate them at the earliest opportunity.

Mr. Hamidon (Malaysia): At the outset, my delegation would like to associate itself with the statement made earlier by the representative of South Africa on behalf of the Group of 77 and China. We would also like to express our appreciation to the Secretary-General for his report (A/61/132) on this subject.

Since the initiation of resolutions on this item 15 years ago, the international community has continuously demonstrated that it rejects the use of unilateral measures by one Member of this Organization to effect political change in another. The fact that last year 182 countries supported resolution 60/12, as compared to the 179 that supported resolution 59/11 in 2004, may be taken to be an indication of the unwavering, and indeed strengthening, position of the international community in this regard.

Laws, particularly extraterritorial legislation, such as the Torricelli and the Helms-Burton Acts, have been formulated by the United States with the sole purpose of hurting Cuba and its people, including the most vulnerable segments of the population. It is clear that, by limiting Cuba's access to markets, capital, technology and investment, these laws exert pressure on Cuba to change its political and economic orientation, which, the United States hopes, will in turn bring about regime change in Cuba.

It is also clear that these laws, by virtue of their extraterritorial and unilateral nature, clearly contravene universally accepted principles of international law, including the Charter of the United Nations. Furthermore, the embargo is also inconsistent with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in accordance with the Charter of the United Nations. Given the illegal nature of these laws and the embargo, Malaysia is fundamentally opposed to them.

This unilateral embargo clearly has had serious consequences for the Cuban people and their economy. It has been estimated that, for last year alone, direct economic damage caused by the unilateral embargo was to the tune of $4.2 billion. Cumulative damages to the Cuban economy have been estimated to be in the region of $86.1 billion. In addition, the unilateral embargo is a serious obstacle to the full enjoyment of the rights of the Cuban people to life, health, food and education, to name but a few.

But the damage is not confined to Cuba alone. The embargo is detrimental to the interests of other countries, such as Malaysia, which adheres to the principle of friendly relations among countries. Certainly, efforts to exploit fully the potential benefits arising from stronger and deeper bilateral relations between Malaysia and Cuba have been stymied by the imposition of this measure.

Ironically, the imposition of these laws is also detrimental to the way in which the international community at large views the United States. It gives the impression that the United States is willing to continuously act in contravention of international law and global public opinion against a country that poses no direct threat to it. It reduces the United States' moral clout on issues that are important to them and to many other countries, including Malaysia. These issues include free and fair trade, as well as the promotion and protection of human rights and fundamental freedoms.

As a country that enjoys excellent bilateral relations with both the United States and Cuba, we would like to urge the former to look beyond the confines of vested interests, rethink its overall approach towards Cuba and evolve its policy from one

of isolating its smaller neighbour to one of dialogue and accommodation.

Malaysia once again reaffirms its strongest commitment to respect fully the principles of international law. For this reason, and for the practical reasons outlined earlier, Malaysia will continue to reaffirm its solidarity with the Cuban people by supporting and, once again, voting in favour of the draft resolution (A/61/L.10) on this subject.

Mr. Mbuende (Namibia): My delegation associates itself with the statement delivered by the representative of South Africa on behalf of the Group of 77 and China.

My delegation has come here again for what has, over the past 15 years, become virtually an annual judicial pilgrimage to vote in favour of draft resolution A/61/L.10, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" — or rather to pass a verdict on the Torricelli and Helms-Burton Acts. These Acts have been sentenced to judicial death many times in the past. Why have they not been executed or scrapped from the law books? Experts are unanimous in their belief that those Acts not only contradict international law but also cannot stand the test of time in terms of the United States of America's own legal tradition.

There is a striking consensus among the developed and developing countries. Many countries went out of their way to enact laws that would militate against the impact of the Helms-Burton Act. In democratic societies, if a law is as unpopular as the ones that gave rise to the draft resolution that we are debating today, it is common practice to either repeal or amend it. The irony of those Acts is that they keep on coming back, with a vengeance, extending their provisions to new areas. But that does not make them acceptable.

Namibia will today vote in favour of this draft resolution — not only as an expression of solidarity with the people of Cuba but above all in defence of the sovereignty of so many nations on which the terms of the embargo encroaches.

Namibia is committed to the principle of freer trade and the movement of the factors of production internationally. The world order we are working towards is underpinned by the greater participation of all countries, in particular developing countries, in the global economy, by increasing their share of world trade and access to capital flows. We cannot associate ourselves with a law or initiative that goes against that trend.

Namibia believes in the autonomy of market forces to do business anywhere, on the basis of commercial viability. We do not believe in undue political interference in the market place. In fact, the economic, commercial and financial embargo against Cuba represents unjustifiable interference, having raised the cost of doing business not only with Cuba, but also in third countries. This is a threat to a healthy business environment. How many countries did not have to incur costs to pass domestic legislation to prevent the application of the Helms-Burton Act?

Namibia is equally concerned with the impact of the embargo against Cuba on the plight of the poor. Any hardship imposed on a people, whether by natural calamities or politics, affects the poor and vulnerable groups in any society. That is certainly true of Cuba. However, the embargo is a blow not only to the poor in Cuba, but also in Africa and Latin America.

Let us put ourselves in the position in the poor in many African villages where the only doctor is from Cuba. I cannot help but go back some 30 years to the small town of Arusha, in Tanzania, where I needed dental attention and where the only dentist was from Cuba. Did anybody ask himself or herself what the impact would be of the withdrawal of Cuban doctors from many African countries? Cuba, notwithstanding its own challenges, has been and continues to be an important partner of many African countries in the struggle against poverty. The embargo has had much further-reaching implications than one would imagine.

It is important that the embargo be brought to an end, because it is politically unjustifiable, commercially costly and antidevelopment. It is against that background that my delegation urges the United States Government to heed the international call and to implement the General Assembly resolutions. It is in the interests of all of us, including the Governments of the United States and Cuba, that measures be taken to normalize relations between the two countries.

Mr. Mombo (United Republic of Tanzania): My delegation fully associates itself with the statement made by the representative of South Africa on behalf of the Group of 77 and China.

Today marks the fifteenth year since this item was introduced into the General Assembly agenda for deliberation. The economic embargo imposed on the Government and people of Cuba is in its forty-eighth year — one of the longest in contemporary times.

As in the past, the Government of the United Republic of Tanzania takes the floor to join other Member States in calling for the lifting of the economic, commercial and financial embargo unilaterally imposed against Cuba. The country has endured the embargo valiantly but at a forbidding cost.

The embargo, as we all know, has been particularly damaging to the Cuban population, particularly the most vulnerable category: women, children and the elderly. It need not be so. The embargo needs to be terminated.

Like many other countries, we are concerned that the sanctions imposed under the Helms-Burton Act exceed the jurisdiction of national legislation and encroach on the sovereignty of other States that deal with Cuba. We therefore deem the Act to be incompatible with the principle of the sovereign equality of States. The embargo is a systematic collective punishment in violation of human rights and international law. It runs counter to all prevailing moral and ethical values, as innocent people suffer. The extraterritorial nature of the embargo continues to cause considerable damage to Cuba as well as to third countries, which are prevented from taking full advantage of the opportunities offered by the Cuban economy.

Tanzania reaffirms its continued support to and cooperation and solidarity with the people of Cuba and supports the draft resolution being submitted for adoption by this Assembly.

In view of the fact that the embargo has caused significant suffering to the people of Cuba, we call on the United States Government to end it and normalize relations with Cuba in the interests of all the people of Cuba and of the United States of America. That may prove to be the most constructive way of reconciling decades old differences and promote a positive spin-off for the region and the world.

The Acting President: I now give the floor to the Permanent Representative of Australia to introduce the amendment to draft resolution A/61/L.10, contained in document A/61/L.19.

Mr. Hill (Australia): In every session since 1982, the Assembly has consistently adopted resolutions on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. Australia, in common with the overwhelming majority of Member States, has supported those resolutions for many years. Australia believes that the trade embargo of Cuba is wrong and should be lifted immediately for the benefit of the people of Cuba and of the rules-based international trading system, which we strongly support.

Having said that, we recognize the reasons that motivated the embargo — concerns valid then and still valid today — about the lack of political freedom and a failure to meet internal human rights obligations by the Government of Cuba. In the past, we, as well as others, have made explanations of vote detailing our concerns about such human rights situations, but to no avail. Year after year, there have been those who have made such statements, but it has not led to change.

There is simply no point in repeating the same practice year after year. Therefore, this year we propose a different approach — that the General Assembly adopt an amended resolution that, on the one hand, calls for an end to the embargo but, on the other hand calls upon Cuba to improve its human rights performance. This can be done through the adoption of an amendment that we circulated yesterday and that is now being distributed as draft amendment A/61/L.19. It would insert a new operative paragraph after operative paragraph 3.

It reads:

> "Noting that such laws and measures were motivated by valid concerns about the continued lack of democracy and political freedom in Cuba, calls upon the Cuban Government to release unconditionally all political prisoners, cooperate fully with international human rights bodies and mechanisms, respect the Universal Declaration of Human Rights and comply fully with its obligations and all human rights treaties to which it is a State party."

The advantage is that the General Assembly has the opportunity for a win-win outcome, saying that we want to see an end to the embargo but also saying that the people of Cuba, who do not have the opportunity of free political expression, deserve better.

The price of speaking up and asking for nothing more than is reasonable is to be abused by the Cuban Minister with false allegations and offensive language. It is no wonder others are not prepared to take such actions, but it does underline the necessity for an amendment of this type.

The Acting President (*spoke in Spanish*): I give the floor to the representative of Cuba, who wishes to speak on a point of order.

Mr. Malmierca Díaz (Cuba) (*spoke in Spanish*): As the Foreign Minister of Cuba has already stated, we would like to put forward a no-action motion regarding the amendment contained in document A/61/L.19 under rule 74 of the rules of procedure of the General Assembly.

The amendment to draft resolution A/61/L.10, drafted by the United States and submitted by Australia, is contrary to the letter and the spirit of the successive resolutions adopted by the General Assembly that have demanded the lifting of the unjust and illegal embargo against the people of Cuba. The draft amendment, far from facilitating compliance with the rightful demand by the international community that an end be put to such an extraterritorial policy, which clearly contravenes the norms and principles of international law, is but a pretext to continue and intensify the unilateral embargo by the United States against the people of Cuba.

If the Bush Administration and Governments subordinate to its imperialist policy against the Cuba nation had any genuine concern regarding human rights in our country, they should have addressed it in the Third Committee or the Human Rights Council. But they do not dare to hold a face-to-face debate on this subject. What is being attempted today is to legitimize a supposed right of the powerful to impose unilateral coercive measures that contravene international law, using any pretext available.

What is at stake today is the defence of the norms and principles of international law and the protection of multilateralism against the dominance of force and injustice.

Guided by our firm conviction that even to consider the amendment put forward by Australia at the urging of the United States would be to go against the very basis of international relations, as enshrined in the Charter of the United Nations, Cuba reiterates that it has decided to put forward a no-action motion on the proposed amendment contained in document A/61/L.19, under rule 74 of the rules of procedure of the General Assembly.

Cuba requests that the Assembly consider this no-action motion and requests all States to support it. Cuba further requests a recorded vote in this respect.

The Acting President: The representative of Cuba has moved, within the terms of rule 74 of the rules of procedure, that no action be taken on the amendment contained in document A/61/L.19.

Rule 74 reads as follows:

> "During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote."

Mr. Godard (United States of America): The annual General Assembly resolution condemning the United States bilateral embargo against Cuba inaccurately attributes the suffering of the Cuban people to the embargo. The resolution does not speak at all to the adverse impact on the Cuban people of the Cuban Government's own policies, which deny them basic human, labour, political and economic rights.

This year we believe it is especially important for the international community to speak up on behalf of the Cuban people and recognize that the best hope for improving the lives of the Cuban people is for the regime to pursue a transition to democracy and allow the Cuban people full enjoyment of their human, economic, labour and political rights.

We oppose this no-action motion in order to help preserve the General Assembly as a meaningful forum in which to address human rights issues. No-action motions, which encourage the United Nations to turn a blind eye to even the most egregious violators of human rights, undermine the effectiveness of this body. It is not in our collective interest for the General Assembly to be seen as the protector and apologist of regimes that abuse human rights.

We will vote against this motion and urge other delegations to do the same.

Mr. Maqungo (South Africa): The delegation of Cuba has put forward a no-action motion. Let me reiterate that, when South Africa spoke on behalf of the Group of 77, we stated that, at the thirtieth annual Group of 77 and China ministerial meeting, the G-77 ministers firmly rejected the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, including unilateral sanctions against developing countries, and reiterated the urgent need to eliminate them immediately. They emphasized the fact that such actions not only undermine the principles enshrined in the Charter of the United Nations and international law, but also severely threaten freedom of trade and of investment. They therefore called on the international community to neither recognize those measures nor to apply them.

The amendment proposed by the delegation of Australia is not acceptable to the South African delegation, because it asks of us to abdicate our responsibility of defining our own democracy and what constitutes political freedom. The amendment notes that such laws and measures were motivated by valid concerns about the continued lack of democracy and political freedom in Cuba. Surely, if we are to abdicate our responsibility to define what constitutes democracy and what constitutes political freedom vested in one State and also to vest any State with the right to pass extraterritorial laws, that will certainly not be a win-win situation for the Assembly, but a lose-lose situation. For that reason, South Africa will vote in favour of a no action motion.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The contents of Australia's amendment are not new to us. It distorts the purpose of draft resolution A/61/L.10. Since 1992 the General Assembly has been adopting consecutive resolutions urging countries concerned to end the economic, commercial and financial embargo against Cuba. That fully reflects the preponderant view of the international community on the issue.

We believe the General Assembly should reject the amendment. Therefore, the Chinese delegation is in favour of Cuba's motion to take no action on the Australian amendment.

Mr. Hill (Australia): Not surprisingly, I am opposed to the motion of no action, and I respectfully suggest that there is a confusion between the merits of the amendment I have moved and the right to have it debated.

The representative of South Africa has just argued that each of us has the right to define our own democracy. That might be so, but each of us is also obliged to comply with the terms of the Charter, the Universal Declaration of Human Rights and the major conventions to which we are party. The amendment I am seeking to have debated in effect calls upon Cuba to do just that.

I would suggest that a failure to appreciate the linkage between the embargo as it is now in place and Cuba's failure to meet its international obligations under the Human Rights Convention is a failure to accept reality. There is, in fact, a clear linkage. We are prepared to put the case forward for our amendment if we are given the opportunity. But to not be permitted that opportunity in this Hall of debate, I would respectfully argue, is not to be given the opportunity to look at the totality of the issue. The totality of the issue is clearly whether there is merit in the embargo. That calls into play the issue of Cuba's human rights record, and therefore a debate upon that would determine how nation States might be prepared to vote on the embargo.

We would argue that there is a linkage, that the issue of Cuba's human rights record is important and that it could be debated in the Third Committee, as was suggested by the representative of Cuba. We take that suggestion on board. But it is also possible to seek to amend other relevant motions to give the Assembly the opportunity to debate an issue of such importance. We are taking that opportunity today.

I remind the Assembly that all we are asking is that it call upon the Cuban Government to release unconditionally all political prisoners, to cooperate fully with international human rights bodies and mechanisms and to respect the Universal Declaration of Human Rights and to comply fully with its obligations under all human rights treaties to which it is a State party.

We are not calling upon Cuba to in any other way to meet an obligation for which it might have discretion. We are simply calling upon it to meet the obligations that we all accept, and on that basis to justify the removal of the embargo and to give all of us greater comfort in supporting the removal of the

embargo as addressed in the draft resolution before us today.

The Acting President: The Assembly has thus heard two delegations speaking in favour and two delegations speaking against the motion put forward by Cuba.

In accordance with the rules of procedure I shall now put to the vote the motion submitted by the representative of Cuba to take no action on the amendment thereto contained in document A/61/L.19. In submitting its motion, the representative of Cuba also requested that a recorded vote be taken.

The Assembly will now vote on the motion put forward by Cuba not to take action on the amendment contained in document A/61/L.19.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Kiribati, Liechtenstein, Samoa, Switzerland, Tonga

The motion for no action was adopted by 126 votes to 51, with 5 abstentions.

[Subsequently, the delegation of Benin informed the Secretariat that it had intended to vote in favour.]

The Acting President: Since the motion for no action has been adopted, no action will be taken on the amendment contained in document A/61/L.19. We will therefore proceed to consider draft resolution A/61/L.10.

Before giving the floor to the speakers in explanation of vote before the vote, I would like to remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Ms. Lintonen (Finland): I have the honour to speak on behalf of the European Union. Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Moldova, Montenegro, Norway, Romania, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine align themselves with this explanation of vote.

Regarding the no-action motion, the European Union voted against, on the basis of the EU's long-

standing opposition to the use of no-action motions, which it considers contrary to the spirit of dialogue.

As for the substance of this issue, the European Union believes that the United States trade policy towards Cuba is fundamentally a bilateral issue. Nevertheless, the EU and its member States have clearly expressed their opposition to the extraterritorial extension of the United States embargo, such as that provided for in the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

The European Union cannot accept the fact that unilateral measures imposed by the United States on specific countries limit the Union's economic and commercial relations with third countries — in this case, Cuba. Therefore, in November 1996, the Council of Ministers of the European Union adopted a regulation and joint action to protect the interests of natural or legal persons resident in the EU against the extraterritorial effects of the Helms-Burton legislation, prohibiting compliance with that legislation.

Moreover, on 18 May 1998, at the European Union-United States Summit in London, a package was agreed upon that included waivers to Titles III and IV of the Helms-Burton Act, a commitment by the United States Administration to resist future extraterritorial legislation of that kind, and an Understanding with Respect to Disciplines for the Strengthening of Investment Protection. The EU continues to urge the United States to implement its side of the 18 May 1998 Understanding.

The European Union's policy towards Cuba is clear and was set out in a Common Position in 1996. The objective of the EU in its relations with Cuba is to encourage a pacific process of transition, led by the Cuban people, to pluralist democracy and respect for human rights and fundamental freedoms, as well as to sustainable economic recovery and improvement in the living standards of the Cuban people. The European Union underlines that it is willing to cooperate with Cuba in those fields on the basis of a dialogue with the Cuban Government and Cuban civil society as soon as the Government shows the political will to engage in a dialogue aimed at tangible results, especially in the field of human rights. Member States most recently reaffirmed their commitment to that Common Position on 12 June 2006.

The European Union believes that critical engagement with the Cuban Government, alongside dialogue with wider Cuban civil society, is the most effective way to promote peaceful change in Cuba. However, the EU considers that full cooperation with Cuba will depend upon improvements in the areas of human rights and political freedom in that country. The EU remains deeply concerned about the human rights situation in Cuba.

The EU also remains deeply concerned about cases in which representatives of the peaceful opposition and of civil society have been intimidated and harassed in order to repress critical voices. In addition, family members of political prisoners have been victims of so-called acts of repudiation. There remain prisoners who have been neither charged nor tried, and people suspected of sympathizing with the banned political opposition have been detained and sentenced under the provisions of the Penal Code on "pre-delictive dangerousness". The EU urges the Cuban Government to unconditionally release all political prisoners and to refrain from carrying out acts against members of their families. We appeal to the Cuban authorities to cooperate fully with international human rights bodies and mechanisms — especially the Personal Representative of the High Commissioner for Human Rights on the situation of human rights in Cuba.

The Cuban Government's achievements in health care and education are undermined by its restrictions on civil, political and economic rights. The domestic Cuban economic policy and the economic, commercial and financial embargo imposed by the United States seriously hamper the economic development of Cuba, negatively affecting the standards of living of the Cuban people.

With regard to the United States of America, we express our rejection of all unilateral measures against Cuba that are contrary to commonly accepted rules of international trade, and reiterate our view that the lifting of the United States trade embargo would open Cuba's economy, to the benefit of the Cuban people. With regard to Cuba, the European Union urges the Cuban authorities to bring about real improvements in all the fields that I have mentioned.

For all of those reasons, and despite its serious criticism of Cuba's human rights record, the European Union will unanimously vote in favour of draft resolution A/61/L.10.

Mr. Maksimychev (Russian Federation) (*spoke in Russian*): The Russian Federation has consistently supported the position that it is inadmissible to carry out unilateral measures of an extraterritorial nature in international relations. We believe that in today's world, any attempt to isolate individual countries is counterproductive. Russia, like the absolute majority of United Nations Member States, decisively condemns the United States embargo against Cuba and favours a swift lifting of that embargo.

At every session of the General Assembly since 1994, Russia has supported resolutions entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". We are convinced that ending the embargo and normalizing the relations between the United States and Cuba would generally help to improve the situation in Cuba and further integrate the country into global economic processes.

Guided by those considerations, and expressing solidarity with the will repeatedly expressed by the overwhelming majority of Member States, Russia believes it is essential to support the draft resolution requiring a lifting of the embargo and normalization of the relations between the United States and Cuba, which would serve the interests of the peoples of Cuba and the United States and have a positive effect on the overall situation in the region of Central America and the Caribbean and the world as a whole. Therefore, we will once again vote in favour of the draft resolution at the present session of the General Assembly.

The Acting President: We have heard the last speaker in explanation of vote.

The Assembly will now proceed to take action on draft resolution A/61/L.10. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Palau, United States of America

Abstaining:

Micronesia (Federated States of)

Draft resolution A/61/L.10 was adopted by 183 votes to 4, with 1 abstention (resolution 61/11).

The Acting President: I shall now give the floor to those representatives who wish to speak in explanation of vote on the resolution just adopted.

I would like to remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Tarrago (Brazil) (*spoke in Spanish*): I have the honour to speak on behalf of the countries members of MERCOSUR — Argentina, Paraguay, Uruguay, Venezuela and Brazil — and the associated States Bolivia, Chile, Colombia, Ecuador and Peru.

As has been our practice in previous years, the countries members of MERCOSUR and the associated States voted in favour of the resolution that has just been adopted. The General Assembly reaffirms the need to end the economic, commercial and financial embargo imposed against Cuba. The international community reaffirms its support for multilateralism and its rejection of unilateral coercive measures.

The message is clear. The embargo against Cuba is contrary to the principles of international law and the purposes and principles of the Charter, to which we are all committed. Nor is it in conformity with the multilateral rules of trade or the legal obligations of the members of the World Trade Organization.

The extraterritorial application of domestic laws does not contribute to the promotion of democratic values or to dialogue among sovereign States. On the contrary, it can lead to increased polarization and confrontation. The embargo has been rejected by the General Assembly, as well as by other international forums and bodies, including the Organization of American States, the Latin American Economic System, the Ibero-American Summit and the Rio Group.

The countries of MERCOSUR and the associated States joined in the rejection by the international community of the promulgation and implementation of such unilateral coercive and extraterritorial measures. Our countries have demonstrated once more their support for multilateralism as the only just and effective way of resolving disputes among States and promoting understanding, security, human rights and cooperation.

Mr. Abdalhaleem (Sudan) (*spoke in Arabic*): My delegation aligns itself with the statement made by the representative of South Africa, who spoke on behalf of the Group of 77 and China.

For more than four decades, the Cuban people have been suffering as a result of the devastating effects of the embargo imposed unilaterally by the United States against their country. That is a flagrant violation of the principles of the Charter, which calls for anchoring the values of cooperation, equality, fraternity, justice and solidarity, as well as respect for peoples' freedom of choice. Consolidation of the principles of the rule of law, rejection of oppression and hegemony, respect for human rights, in particular the right to development, are all at the very heart of our Organization's mission, and all Member States should seek to strengthen them.

For the fifteenth consecutive year, the General Assembly has considered the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". Today, 183 countries voted in favour of the draft resolution, which seeks to end the embargo, thus making absolutely clear how serious it is when a country arrogates to itself the right to impose unilateral sanctions. The embargo against Cuba is unjust and constitutes a violation of the fundamental principles of the Charter, as well as of the rules of international law and the principles that govern and organize economic, trade and financial relations among countries.

The continuation of the embargo runs counter to the reform effort that is now under way in the United Nations, and represents a denial of the unanimity of the Member States regarding the need to promote and to translate into reality the principles underlying that effort to replace confrontation with cooperation and respect for the right of peoples to choose their own political, economic and social systems.

Despite the fact that the international community has constantly reaffirmed the need to end the embargo, the Cuban people are continuing to suffer greatly. Indeed, their suffering increased last year as a result of the tightening of the embargo, which is now extraterritorial in nature. Restrictions against financial transactions of Cuban citizens and of their moneys have been further tightened in a draconian manner. Attempts are now being made to deter foreign investors, banks and corporations from establishing commercial and financial relations with Cuba. All of that is happening in blatant disregard of the will of the

international community and General Assembly resolutions.

Since 1997, my country too has been suffering because of unilateral economic sanctions as a result of such unjustifiable policies, as have other countries. In the Sudan, we know full well the seriousness of such measures and their terrible and cruel consequences. We very much understand the losses suffered by Cuba and the magnitude of suffering inflicted on the Cuban people because of the embargo. We would like to take this opportunity to reaffirm our solidarity with the friendly people and Government of Cuba. We reaffirm our rejection of those measures and call upon the Cuban people to continue to resist them, as well as to continue their remarkable achievements in all areas through the multilateral system, which we have all chosen as the framework for joint action.

The Sudan's position regarding these policies is based on firm principle. We are resolute in standing against any policies of embargo and against exclusion and hegemonic policies. We therefore voted in favour of draft resolution A/61/L.10, submitted by Cuba, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". We would like to thank the States that voted in favour of the draft resolution for having expressed their strong rejection of unilateral measures that violate the principles of the Charter and of international law.

Mr. Loayza Barea (Bolivia) (*spoke in Spanish*): As we have done for more than 10 years, we in the General Assembly continue to discuss the need to bring to an end the financial and trade embargo against the fraternal people and Government of Cuba, but without success. As a result of this continuous action at the level of multilateral diplomacy, a series of resolutions have been adopted, urging all States to adhere to the principles of the United Nations Charter and the principles embodied in international legal instruments and to repeal all laws and other extraterritorial measures impacting on the sovereignty of other States and their legitimate interests, as well as the freedom of trade and navigation.

Unfortunately, we see that the decision taken by the international community has come up against a unilateral decision in favour of the embargo, which is contrary to democratic principles and fails to offer a positive response to the will of the majority here represented.

The embargo and the sanctions imposed by the United States on Cuba, which have been in place for over 40 years, have an impact, on the one hand, on the legitimate endeavours of the Cuban people to find their own course and their own mechanisms to achieve development and yet seek paradoxically, on the other hand, through such coercive measures of a unilateral nature, to promote democracy, freedom and human rights in Cuba.

We feel strongly that this attitude fails to meet either the principles or the sentiments of the majority of countries within the United Nations system. These actions are contrary to the principles of freedom and democracy and in addition impact the human rights of the people of Cuba. The way in which these principles are being used demonstrates a distortion of their goals and purpose.

Bolivia constantly seeks, from a sovereign and dignified position, to maintain relations of friendship and cooperation with the United States. We urge the United States Government to review and end this policy, which has met the condemnation and opposition of the international community and gives rise to constant concern in Latin America as a result of the negative impacts on Cuba, on its people and on the region.

We firmly believe that the international community has made clear its concern regarding the embargo in that it is contrary to the principles of the United Nations Charter and because of the negative impact on the Cuban people, depriving them of their right to goods and to free movement and of access to medicines and components for manufacturing medicines among other things. We identify with the will of the international community in this demand that an immediate end be brought to the embargo against Cuba. We are of the view that the mechanisms of a fair international system based on international law and on treaties allow for a coexistence that accommodates contradictions and differences but rejects hostile confrontations.

The differences in systems and views of States should be resolved through cooperation and dialogue on a basis of equality and mutual respect. Moreover, Bolivia has had personal experience with the significant difficulties that developing countries daily

face in implementing policies intended to achieve and promote the welfare of our populations. Therefore, we understand and express our solidarity with the people of Cuba and its Government, which are suffering as the result of a policy that hampers the development to which all nations are entitled.

We urge the United States Government to replace confrontation with dialogue, sanctions with communication and effectively implement the relevant resolutions of the United Nations in this regard. Bolivia firmly opposes these sanctions and the economic and financial embargo. We support the Cubans in seeking to protect their national independence and their sovereignty and we echo the words of Brazil on behalf of the Rio Group. For those reasons, we have voted for the draft resolution.

Mr. Swe (Myanmar): The international community has consistently expressed its unequivocal support for the call to end the economic, commercial and financial embargo by the United States against Cuba, since the General Assembly adopted resolution 47/19 by a clear majority 15 years ago. The Summit Conference of the Heads of State or Government of the Non-Aligned Movement held in Havana last September also reiterated its call to the Government of the United States of America to put an end to the economic, commercial and financial embargo against Cuba.

Myanmar strongly believes that the promulgation and application by Member States of laws and regulations, the extraterritorial effects of which effect the sovereignty of other States and the legitimate interests of entities and persons under their jurisdiction, as well as the freedom of trade and the freedom of navigation, violate both the spirit and letter of the United Nations Charter and the universally accepted principles of international law. Accordingly, Myanmar opposes all forms of unilateral, economic and financial coercive measures, as well as sanctions and embargos that are contrary to international law. Myanmar, as one of the initiators of the five principles of peaceful coexistence, scrupulously respects the principle of sovereign equality of all States, non-intervention and non-interference in the internal affairs of countries.

The economic, commercial and financial embargo imposed by the United States on Cuba has not only negatively impacted the economy of the country, but also adversely affected the well-being of the people. The embargo is aimed at destroying the political, economic and social system of the Cuban people. The blockage imposed on the health centre in particular is causing undue suffering and hardship to the Cuban people, particularly the most vulnerable segment among the population — women and children. We regard this as inhumane and strongly oppose such measures.

These measures can in no way promote peace and stability in the region. These measures are against international law. Myanmar wholeheartedly associates itself with the call by the international community on the United States to bring an end to the embargo and sanctions on Cuba. My delegation, therefore, voted in favour of the draft resolution to reaffirm our opposition to laws and regulations that have extraterritorial effect and to demonstrate our friendship with the Government and people of Cuba.

Mr. Chidyausiku (Zimbabwe): The fact that the General Assembly continues to debate and pass resolutions year after year on the same issue, calling for similar action, without being heeded, is ample testimony to the shortcomings of the dispute settlement mechanisms of the United Nations system. The resolution on the necessity of ending the economic, commercial and financial blockade on Cuba has enjoyed overwhelming support over the years. It is now time for the United States Government to take bold and positive steps to open up to the people of Cuba, restore the confidence of millions of people around the world in the United Nations system and rekindle that hope that was sparked by the adoption of the Charter of the United Nations many decades ago.

My country, Zimbabwe, understands only too well the negative impact of such ill-conceived, illegitimate and immoral measures on the lives of ordinary people, as it is also a victim of such illegal measures.

The majority of States Members of the United Nations, including Zimbabwe, have consistently rejected the adoption of national laws and regulations with extraterritorial impact, and all other coercive economic measures, including unilateral sanctions, which are targeted mainly against developing countries that seek to reassert their sovereignty.

The destiny of Cuba lies with the Cuban people, whose right it is to choose an economic and social system of their own choice that best suits their

circumstances. Is it not ironic that the leading advocates of free trade have become, at the same time, champions of blockades in a vile game of double standards? The persistence of the United States Government in that practice, which harms the livelihoods of innocent people, also undermines all development efforts aimed at achieving the Millennium Development Goals and all other internationally agreed development goals.

Not only is the embargo imposed by the United States Government on Cuba a violation of international law and the principles of the United Nations Charter; it also runs contrary to the letter and spirit of the principles of the World Trade Organization (WTO) aimed at achieving freer trade. The United States and Cuba are both members of the WTO.

The Secretary-General's report makes it clear that the United States embargo on Cuba has denied that country access to markets, development credit granted by international financial institutions, and technology, and that it has further restricted freedom of navigation, trade and remittances to beneficiaries in that country.

My delegation therefore voted, in solidarity with the Government and people of Cuba, in favour of the resolution.

Mr. Dapkiunas (Belarus) (*spoke in Russian*): For the fifteenth year in a row, the General Assembly has called almost unanimously for an immediate end to the embargo on Cuba. Each year, we have seen an increase in the number of countries in favour of that goal. The international community has long understood that economic wars, like any other action undertaken on a false pretext, do not yield positive results. They lead only to destruction.

It is difficult to understand the reasons behind the flouting of the international community's appeal to end the embargo on Cuba. It is impossible to justify attempts to further tighten economic sanctions, as occurred this year.

At the summit of the Non-Aligned Movement held in Havana, Movement heads of State and Government agreed that only a sober and realistic vision of the contemporary world will allow calm and stability to be established. We call on those who continue to favour sanctions and the isolation of Cuba to be realistic. The Cubans should be allowed to live and work in peace. The sooner the need is recognized to focus on real, rather than spurious international problems, the sooner order will reign in the world and people will come to believe in the future.

Belarus is proud once again to take this opportunity to add its voice to the demands to end the embargo on the Cuban people. We are happy to stand with Cuba, our friend and tried and true partner.

Mr. Maema (Lesotho): My delegation fully associates itself with the statement made by the representative of South Africa on behalf of the Group of 77 and China.

Lesotho rejects the unilateral imposition of all forms of economic, commercial and financial embargoes, as well as the unilateral application of other coercive measures by one State against another. Indeed, my delegation regards all coercive measures — be they economic, political or other — by one State against another as dangerous and thus inadmissible. In our view, such measures can never enhance international peace and stability, but must compromise them.

My delegation therefore insists on respect by all of the rule of law and on strict compliance with international law, particularly the noble principles of the sovereign equality of States and of non-intervention and non-interference in their internal affairs, as enshrined in the Charter of the United Nations.

My delegation is therefore disheartened that, despite its adverse effects on the Cuban people over the years, and despite the fact that it has been condemned by an overwhelming majority of this Assembly since 1991, the embargo on Cuba has to date not been lifted. Ironically, the adoption over the years of further coercive measures that seek to isolate Cuba from international trade and further hurt the Cuban people have constantly been accompanied by claims that the blockade has been and is aimed at enhancing democracy, freedom and human rights in Cuba. Indeed, we have heard similar claims today.

My delegation wishes to reiterate its well-known position that it is the sovereign right of the people of any country, including Cuba, to determine the system of Government and the model of development most appropriate for their country. We also reiterate our strong conviction that, in order to exercise those rights, millions of people in Cuba need not have endured, for over four decades, the untold hardship, suffering and

misery caused by the blockade, as they have and still do.

The support that has just been expressed by the Member States that intervened on this agenda item and by the overwhelming majority that voted in favour of the resolution today truly reflects the fact that the unilateral embargo and measures aimed at tightening the blockade of Cuba are contrary to the principles of international law, particularly those enshrined in the Charter of the United Nations.

The Government of the Kingdom of Lesotho therefore strongly opposes the unilateral economic, commercial and financial embargo on Cuba and urges its lifting. For that reason, my delegation voted in favour of resolution 61/11.

Mr. Aburawi (Libyan Arab Jamahiriya) (*spoke in Arabic*): My delegation voted in favour of resolution 61/11 because we believe that the imposition of sanctions and embargoes is not and never can be the right way to resolve disputes among States. The United Nations Charter provides proper avenues to resolve bilateral differences, including by negotiation, investigation, mediation, reconciliation, adjudication or resort to regional agencies and organizations. All such action should be conducted on the basis of full equality, mutual respect and non-interference in the internal affairs of countries.

That approach has been repeatedly stressed by States Members of the United Nations through the resolutions of the General Assembly, which must be complied with without delay, as they embody justice and common sense and consecrate the norms of international law. Such resolutions also send the clear message that no progress can be made towards establishing general peace, developing friendly relations among States and achieving higher levels of development without international cooperation anchored in mutual respect for the sovereignty of States regardless of their size or population, or the nature of their political and economic system.

The Libyan Arab Jamahiriya once again reaffirms its strong opposition to unilateral measures that are enforced against States for political reasons. We would like to express our deep concern over the maintenance by some States of unilateral coercive economic extraterritorial measures because they are in explicit contravention of norms of international law, especially the two principles of equal sovereignty among States and non-interference in their internal affairs.

The application of such measures would only deepen human suffering and further exacerbate differences and hatred among peoples of interrelated interests, which necessitates compliance with the principles of the Charter of the United Nations. Proper and civilized solutions to problems should be found, solutions that would ensure that basic human rights such as the right to development, food, medical care and essential social services would not be interrupted.

The people of Cuba have been suffering from an unfair embargo for over four decades, an embargo that has caused severe, untold damage and that has affected the entire Cuban population, including children, women and the elderly. The embargo has also hamstrung the ability of the Cuban administration to import necessary foodstuffs, agricultural supplies, medical equipment and drugs needed for health care.

We hope that the resolution just adopted will contribute to the elimination of the suffering and hardship endured by the Cuban people through a favourable response from the country concerned to its provisions. We call on the United States to resolve its differences with Cuba by peaceful means and to set aside unilateral coercive measures that violate the Charter and human rights and attempt to hinder development efforts, which constitute a noble objective of the United Nations system.

Mr. Kapoma (Zambia): Zambia reiterates its support for the call to lift the economic, commercial and financial embargo imposed by the United States of America against Cuba. My delegation is disappointed to note that the embargo has lasted for more than four decades, and it is our earnest desire that it be lifted without further delay.

The Resident Coordinator findings clearly demonstrate that the embargo has negative implications for Cuba's balance of trade, foreign exchange earnings and volume of production. Additionally, the embargo has had a negative impact on Cuba's commercial activities in the areas of food, agriculture, health, education, science and technology. This state of affairs has been demonstrated in the various accounts outlined in the report of the Secretary-General.

Mr. Al-Murad (Kuwait), Vice-President, took the Chair.

The Zambian Government continues to express concern at the persistent imposition of restrictions by the United States of America against the people of Cuba. A violation of this nature must be discouraged to the greatest extent possible. Therefore, my delegation appeals to all States Members of the United Nations to support the immediate lifting of the economic, commercial and financial embargo against Cuba.

For 15 consecutive years, the General Assembly has adopted resolutions under the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". Last year, the resolution was adopted by 182 votes in favour and only 4 against. The support of the resolution shows the overwhelming rejection by the international community of the embargo, which should therefore be lifted.

We acknowledge the resilience of the Cuban people in the face of the difficulties arising from the sanctions. The embargo imposed by the United States of America against Cuba demonstrates by all accounts a failed policy and should therefore be abandoned.

Let me conclude by stating that the measures taken under the Helms-Burton Act continue to violate Cuba's rights to free trade and navigation. Based on the information provided by the United Nations system on the embargo's negative impact on the United Nations Development Programmes in Cuba, my delegation voted, as it has done in the past, in favour of the resolution. We will continue to do so for as long as the embargo continues.

Mr. Kittikhoun (Lao People's Democratic Republic) (*spoke in French*): More than four decades have gone by and the economic, commercial and financial embargo imposed on Cuba by the United States of America is still with us. This has been a long, painful and tough period for the innocent Cuban people. The embargo has benefited neither side; quite the contrary, it has created additional tension between two neighbouring countries.

In today's world, with its multifaceted cooperation among States, it is disappointing that there are still unilateral, discriminatory commercial practices. In our view, the extraterritorial application of the domestic laws of one country clearly violates the purposes and principles of the Charter of the United Nations. In keeping with the relevant resolutions of the General Assembly, no Member shall promulgate or apply laws, regulations or measures whose extraterritorial effects undermine the sovereignty of other Member States as well as freedom of trade. Each nation has the sovereign right to participate freely in the international commercial and financial system. In the light of the universal principal of sovereignty, no country has the right to interfere in the internal affairs of another country, despite the existence of different social and political systems.

As a sovereign, independent nation, the Republic of Cuba has the right to choose its own political system as well as its own development model. In order to reduce poverty and attain sustainable development, Cuba should be free to maintain and promote economic and commercial relations with all countries of our planet.

The Lao People's Democratic Republic, together with the majority of United Nations Member States, will continue to work to end the economic, commercial and financial embargo against Cuba. This decidedly obsolete policy runs counter to international law and it has already caused so much suffering to the Cuban people. The Republic of Cuba is a member of the United Nations and as Members ourselves we must do everything to help that country fully to recover its legitimate right to integration in the globalized world economy.

Accordingly, my Government voted in favour of the draft resolution A/61/L.10.

Mr. Abdelaziz (Egypt): The delegation of Egypt voted in favour of the motion not to take action on the amendment proposed by Australia in document A/61/L.19 because Egypt believes firmly that the human rights situation in Member States of the United Nations should be addressed without selectivity, double standards or politicization, and with full respect for the competence of the Human Rights Council and the Third Committee, using cooperative and non-confrontational methods as clearly stipulated in the 2005 outcome document and Assembly resolution 60/251, establishing the Human Rights Council.

For us, the proposed amendment falls outside the institutional framework of our consideration of the item before us today. It would have been better for the sponsor of the amendment and his supporters to submit separate draft resolutions to the General Assembly and to the Security Council on the consistent and systematic violations that are committed on a daily

basis against the human rights of the Palestinian people. At this very moment, the Palestinian people are under fierce attacks from Israeli military forces, resulting in a massacre this morning, with 18 persons killed and 50 persons injured today alone in Beit Hanoun, raising the number of casualties in the latest military operation by Israel to more than 100 persons killed and hundreds of others wounded over a period of five days. This is an issue that requires priority in our consideration of how to effectively address human rights violations and human rights violators if we are truly serious in our commitment to avoid selectivity, double standards and politicization.

Finally, our vote in favour of the resolution contained in document A/61/L.10 is in full implementation of the provisions of the Final Document of September's Summit Conference of Heads of State or Government of Non-Aligned Countries, held at Havana, which stipulates, in its paragraph 234.6:

> "The Heads of State or Government re-emphasized that the exploitation of human rights for political purposes, including selective targeting of individual countries for extraneous considerations, which is contrary to the founding principles of the Movement and the United Nations Charter, should be prohibited. They urged that, in the discussion on human rights, adequate attention be given to the issues of poverty, underdevelopment, marginalization, instability and foreign occupation that engender social and economic exclusion and violation of human dignity and human rights, which cannot be divorced from any meaningful discussion relating to human rights".

The Acting President (*spoke in Arabic*): We have heard the last speaker in explanation of vote.

I now call on the representative of Cuba, who wishes to speak in exercise of the right of reply. May I remind delegations that, in accordance with General Assembly decision 34/401, statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second and should be made by delegations from their seats.

Mrs. Núñez Mordoche (Cuba) (*spoke in Spanish*): The demented intensification of the genocidal policy of hostility, aggression and embargo carried out by the United States against the Cuban people reflects the frustration of the current Government of the United States and its inability to reverse the firm decision of Cubans to defend their independence and sovereignty to the last breath.

Those who claim the supposed right to unleash wars of conquest, massively bombard defenceless civilian populations in the name of freedom and the non-proliferation of weapons and institutionalize torture in the name of democracy have no moral authority to judge the Cuban revolution, which is a symbol of resistance and dignity for the peoples of the world. Nothing demonstrates the anti-Cuban nature of the policies and actions of the current United States Administration as clearly as the successive versions of the annexation plan prepared by the so-called Commission for Assistance to a Free Cuba, established by President Bush.

Putting an end to the freedom and independence enjoyed today by Cuban men and women and destroying the society that they have freely chosen have become obsessions of the centres of power of the United States. Attempting to justify the economic, commercial and financial embargo against Cuba on the basis of a false concern about a non-existent situation of human rights violations is unsustainable and fallacious. Those who have been responsible for practices of torture and the most brutal harassment of persons detained at Guantánamo and Abu Ghraib cannot give lessons on human rights. The United States does not qualify as a judge and does not have the moral authority to evaluate any country.

We will not dwell on the matter of Australia. Cuba's Minister for Foreign Affairs was clear, and I will merely repeat what he said. Australia's submission of an amendment at the behest of the United States is a demonstration of its abject submission to and complicity with the Government of the United States. A Government such as that of Australia, which nearly exterminated its aboriginal peoples and which today subjects them to apartheid, does not have the moral authority to condemn Cuba.

Permit me to address the European Union and its members. What stood out in the Union's explanation of vote : :garding the draft resolution against the embargo was hypocrisy and subordination to the anti-Cuban policy of its major ally.

The European Union does not have the moral authority to refer to the human rights situation in Cuba.

In its countries, there is growing racism and xenophobia and an upsurge in reprisals and discrimination against those who emigrate to Europe to escape poverty caused by centuries of colonial exploitation and an unjust international order that enables the Union to reap profits from sweat and from pillaging the resources of the South. What credibility should we give to the human rights concerns of Governments that have not had the courage to condemn the human rights violations carried out by the United States in its arbitrary detention and torture centre at Guantánamo, or of Governments that provided their territory for secret CIA flights carried out for the purpose of torturing prisoners?

The Cuban revolution, having resisted half a century of brutal aggression, embargo and hostility from the most powerful super-Power that has ever existed, moves inexorably forward. It is a genuinely popular and indigenous revolution that has enabled us to build a participative democracy and an ever more human and just society that places the human person at the centre of its activities. That is why we will continue to fight and are prepared to give up our own lives, if necessary.

The Acting President (*spoke in Arabic*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 18?

It was so decided.

Programme of work

The Acting President (*spoke in Arabic*): I would like to inform members that the General Assembly, in the morning of Friday 10 November, will consider agenda item 68, "Report of the Human Rights Council".

The meeting rose at 1.30 p.m.

United Nations A/61/PV.51

General Assembly

Sixty-first session

Official Records

51st plenary meeting
Friday, 10 November 2006, 10 a.m.
New York

President: Ms. Al Khalifa ..... (Bahrain)

The meeting was called to order at 10.25 a.m.

Agenda item 68

Report of the Human Rights Council (A/61/53)

The President: Under agenda item 68, the Assembly has before it the annual report of the Human Rights Council circulated in document A/61/53.

In connection with this item, I would like to recall that the General Assembly, on the recommendation of the General Committee, decided at its 41st plenary meeting, on 26 October 2006, to consider agenda item 68 in plenary meeting and in the Third Committee, on the understanding that the Third Committee would consider and act on all recommendations of the Human Rights Council to the Assembly, including those that deal with the development of international law in the field of human rights. Taking this decision into account, the Assembly will consider in plenary meeting the annual report of the Human Rights Council on its activities for the year.

This division of work was agreed upon with the understanding that this arrangement is motivated by the fact that the Human Rights Council only began its work in June 2006. It is also understood that the current arrangement is in no way a reinterpretation of General Assembly resolution 60/251 and will be reviewed before the beginning of the sixty-second session of the Assembly, on the basis of the experience gained with the efficiency and practicality of this arrangement.

Upon the conclusion of the debate in plenary on this item, the General Assembly will revert to this agenda item in the context of its consideration of the report of the Third Committee.

The Assembly will now start its consideration of the annual report of the Human Rights Council on its activities for the year.

Before proceeding further, I would like to consult members about inviting the President of the Human Rights Council to present the first annual report of the Council. Bearing in mind the provisions of the General Assembly decision on the allocation of the item and without setting a precedent, may I take it that it is the wish of the General Assembly to invite the President of the Human Rights Council to present the first annual report of the Council?

I see no objection.

It was so decided.

The President: We shall proceed accordingly. In accordance with the decision just taken and without setting a precedent, I now give the floor to Mr. Luis Alfonso de Alba, President of the Human Rights Council, to present the report of the Council.

Mr. de Alba (*spoke in Spanish*): It is an honour for me to present to the General Assembly the report on the work of the Human Rights Council during the period since its historic creation on 15 March 2006 in accordance with resolution 60/251 of this General Assembly.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

06-61126 (E)

At the outset, I should like to refer to the steps taken by the Human Rights Council in carrying out its mandate in its first year. Secondly, I shall address some of the challenges that the international community has to face in order to strengthen the Council, which, as set forth in the resolution to which I have referred, is

> "responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner" (*resolution 60/251, para. 2*).

The Council held its first regular session from 19 to 30 July and has since held two special sessions on 5 and 6 July and 11 August, respectively. It met again in regular session from 18 September to 6 October, and the session will be resumed on 27 November. A third regular session will be convened immediately following the conclusion of the second and before the end of the year.

At the Council's first session, a number of high-level meetings were held with the participation of more than 85 personalities, representatives of civil society and national institutions, and parliamentarians. That broad-based high-level participation reflects the importance that States and the various institutions of the United Nations system and the international community in general attach to the new body, as well as the high expectations it has generated.

The Council received the report of the High Commissioner for Human Rights, Ms. Louis Arbour. Interactive dialogues were also convened on a variety of themes, with the wide-ranging participation of member States, as well as of observers and representatives of civil society.

In the context of the dialogue and interaction with the special human rights instances and mechanisms, the Council had an exchange of views with the Chairperson of the Coordination Committee of special procedures, the Vice-Chairperson of the fifty-seventh session of the Sub-Commission on the Promotion and Protection of Human Rights, and the Chairperson of the eighteenth meeting of the chairpersons of the human rights treaty bodies.

Similarly, the Council held discussions on such questions the situation of human rights in Palestine and the other occupied Arab territories; support for the Darfur Peace Agreement: backing efforts for the strengthening of the promotion and protection of human rights; avoiding incitement to hatred and violence for reasons of religion or race through the promotion of tolerance and dialogue; the human rights of migrants in the context of the High-Level Dialogue on International Migration and Development; and the role of human rights defenders in promoting and protecting human rights.

The Council adopted a resolution on the situation of human rights in Palestine and the other occupied Arab territories, and another on incitement to racial and religious hatred and the promotion of tolerance.

With regard to the Council's work on the development of international law in the sphere of human rights and its consideration of specific issues, the Council adopted and recommended for adoption by the General Assembly an international convention for the protection of all persons from enforced disappearance and a draft United Nations declaration on the rights of indigenous peoples.

Furthermore, a decision was made to extend the mandates of three working groups in that area, namely, the Open-ended Working Group established with a view to considering options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights; the Working Group on the Right to Development; and the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action.

With regard to measures in implementation of paragraph 6 of resolution 60/251, the Council decided to extend exceptionally for one year the mandates and the mandate holders of all the special procedures of the Commission on Human Rights, of the Sub-Commission on the Promotion and Protection of Human Rights, as well as the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII). That will allow the procedures to continue until the end of the review process. Moreover, the Secretary-General and the High Commissioner for Human Rights will be able to submit to the Council all reports and studies that may have been requested by the former Commission on Human Rights during the fourth session and to update them in response to developments, as required. With those measures, the Council is seeking to avert a vacuum in human rights protection during the transitional period.

Furthermore, the Council established an open-ended intergovernmental working group to formulate concrete recommendations on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a special procedures system, specialized assessments and a claims procedure. The working group will report to the Council periodically in order to complete the review of mandates in June 2007.

The General Assembly decided that the Council should also conduct a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments. It also decided that the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year.

At the end of its mandate, the Human Rights Council established an intersessional open-ended intergovernmental working group to consult on and consider the various proposals in that regard. In that connection, the Council requested substantive contributions from the Office of the United Nations High Commissioner for Human Rights, which are essential to designing a well-founded mechanism. The creation of a universal periodic review mechanism, as defined by the General Assembly, is undoubtedly one of the most complex and urgent tasks in the institutional building of the Council.

The Human Rights Council has the challenge of consolidating itself and of proving itself capable of meeting the international community's expectations. During this transitional period, we have therefore adopted many of the effective practices of the Commission on Human Rights when we have felt it appropriate to do so. At the same time, we have stressed the need to be creative and innovative in all areas where we need to be so. That will help us to design new machinery for the promotion and protection of human rights.

We have another important challenge. That is the manner in which the Council will address human rights violations, including grave and systematic violations and emergency situations involving human rights, as well as the manner in which it will carry out its preventive tasks, in accordance with the mandate conferred by the Assembly in resolution 60/251.

The Council has held two special sessions to date. The first addressed the human rights situation in the occupied Palestinian territory, and the second addressed the grave situation of human rights in Lebanon caused by Israeli military operations.

The outcome of the first special session was the adoption by the Council of a resolution to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. Regrettably, the mission has not yet been able to get under way.

In the second special session, a high-level commission of inquiry was created, consisting of three internationally recognized and prestigious individuals. The commission has already begun its visits on the ground and is ready to conclude its work. The Commission will submit its report to the Council at its third regular session.

It is noteworthy that during the second session, now under way, it was possible to develop a constructive dialogue with a very high number of special procedures and with representatives of other human rights mechanisms under a new format. That led to better and richer participation on the part of Member States and observers as well as of representatives of civil society and national human rights institutions. A generic resolution was adopted allowing for continuity in the work under way, and it is hoped that a body of decisions and resolutions submitted by Member States will be adopted by the end of this month, when that session concludes. Thus we can safely say that the work of institution-building has not resulted in any protection vacuum and that the system as a whole is continuing to function.

After a year, the Council's should have transparent, fair and impartial methods of work, which will enable genuine dialogue and be results-oriented, as set out in paragraph 12 of resolution 60/251.

Likewise, it will have to pay due attention to the implementation of its decisions, and, in that connection, I would note that we have already taken substantive steps forward in that direction by following up, at each of our sessions, the decisions adopted by the Council.

Likewise, the Council will have to agree on an agenda that is in keeping with the General Assembly's

decision to promote universal respect for the protection of the human rights and fundamental freedoms of all persons, in the context of an annual cycle of meetings that will enable the Council to consider, in an orderly and rational manner, all of the issues under its purview. The idea is to avail ourselves of the possibility of meeting on several occasions throughout the year, staggering consideration of certain items and following up regularly on all mandates, and of reacting more quickly to events as they occur. We will also have to develop new rules of procedure to promote the orderly progression of our work.

Before concluding, I would note that the mandate and nature of the Council, as well as the pressing tasks before it — that is, consideration of various substantive items as well as its own institutional development — require that the Council have at its disposal the tools and resources necessary to its consolidation and to carry out its functions properly. Likewise, I deem it important to take an innovative, open and positive approach to the various issues before the Council so as to achieve a true reform of the human rights system.

Building a new institution that meets the expectations of the international community will certainly require the committed participation of each and every one of the States Members of the United Nations as well as the commitment of all of those stakeholders that are directly or indirectly involved, in order to provide it the conditions and the support that it requires to establish itself. This is not an easy task and cannot be accomplished by mere expressions of goodwill. We must intensify efforts and reach agreement on complex issues.

I believe that we have made a great deal of progress and that by June of next year we will be in a position to achieve the goals that have been set for us.

Ms. Lintonen (Finland): I have the honour to speak on behalf of the European Union (EU). The acceding countries Bulgaria and Romania, the candidate countries Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia and the European Free Trade Association (EFTA) country Norway, member of the European Economic Area, as well as the Republic of Moldova, align themselves with this declaration.

The EU warmly welcomes the report of the Human Rights Council presented by the President of the Council, Ambassador De Alba. The EU appreciates Ambassador De Alba's work as President of the Council and wishes to express to him its full support.

The creation of the Human Rights Council provides new opportunities to promote and protect human rights. The first report of the Council, now before the General Assembly plenary, provides a chance to reflect on the beginning of the work of the Council. We welcome this opportunity to present our views on the first report of the Human Rights Council. In accordance with the General Assembly decision on the allocation of this item, the account of the recommendations of the Human Rights Council to the General Assembly will be given at a meeting of the Third Committee later today.

During its first session, the Human Rights Council held a discussion on issues identified by the Member States and observer States of the Council. The Council addressed the situation of human rights in the occupied Palestinian territories, religious intolerance, the human rights of migrants, the role of human rights defenders, and the situation in Darfur after the signing of the Abuja Peace Agreement. The EU welcomed the opportunity for an exchange of views on those important issues. The EU regrets that the Council was not able to adopt substantive decisions on all those topics.

The Council also continued the work already begun by the Commission on Human Rights. Resolutions were adopted on the Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights, on the Right to Development and on the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.

The two recommendations of the Council to the General Assembly, the draft resolutions on the International Convention for the Protection of all Persons from Enforced Disappearance and on the Declaration on the Rights of Indigenous Peoples are to be further considered in the Third Committee later today. As their final adoption is for the plenary of the General Assembly, the European Union wishes to express its full support for the two texts aimed at strengthening the promotion of human rights within the United Nations system and calls for their prompt

adoption by the General Assembly at its sixty-first session, as recommended by the Human Rights Council.

The EU also warmly welcomed the dialogue with the High Commissioner for Human Rights, Mrs. Louise Arbour, during the first session of the Human Rights Council. The EU reaffirms its firm support for the work and independence of the High Commissioner and her Office, which is making a crucial contribution to the promotion and protection of human rights worldwide. Apart from other important functions, an active role is crucial on the part of the High Commissioner in contributing to an effective and operational Human Rights Council.

The EU wishes to reiterate its commitment to an open and constructive dialogue among all stakeholders, including the valuable contribution of non-governmental organizations on various human rights questions in the framework of the Human Rights Council. We all should continue our efforts towards a constructive dialogue on all issues, including the most difficult questions. We welcome similar efforts to promote dialogue made by a number of other delegations.

In accordance with resolution 60/251, the first session of the Human Rights Council decided to extend all the mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, which were thus assumed by the Human Rights Council. That important consensus step prevented a protection gap during the Council's transitional year. As the system of special procedures is crucial to ensure the effective promotion and protection of human rights, the EU firmly believes that in the context of the review process the system should be further strengthened. All States should fully cooperate with special procedures in order to contribute to their effective functioning and to translate the dialogue with special procedures into operational outcomes.

Other positive steps concerning the future work of the Council, such as the decision to establish a working group to develop the modalities of the universal periodic review, were also taken during the first session, in accordance with resolution 60/251. The EU expects the universal periodic review to develop into a meaningful mechanism complementing other forms of activity of the Human Rights Council related to country situations, and to bring real added value. The EU will continue to play an active role to that effect.

The EU emphasizes the importance of making progress on those two important issues in a timely manner. In the meantime, the EU looks forward to working with all stakeholders in a constructive and consensual manner in the framework of the working groups.

The EU believes that special sessions of the Council are a way to make an efficient contribution to the protection and promotion of all human rights for all. It is important that the Human Rights Council address urgent situations and express a united view. This will require genuine discussion and consultations.

At the first special session, on the situation in the occupied Palestinian territory, the European Union expressed its concern about the situation which had evolved between Israel and the Palestinians and called on all parties to abstain from any actions that violated international humanitarian and human rights law. The second special session took place following the escalation of hostilities in Lebanon and Israel. The EU deplored the loss of innocent lives and called for an immediate cessation of hostilities, to be followed by a sustainable ceasefire.

The EU would have preferred the Council to have adopted texts addressing the situation in a more balanced manner, reflecting all relevant aspects of the crises, and it regrets that no genuine discussions took place, as provided for in resolution 60/251.

It is important that the Human Rights Council effectively fulfil its mandate relating to prevention and address situations of human rights violations worldwide. The EU is also determined to work towards those goals with all stakeholders when the second session of the Human Rights Council is resumed and at the forthcoming third session of the Human Rights Council.

Mrs. Ferrari (Saint Vincent and the Grenadines): I have the honour to make this brief statement on behalf of the States members of the Caribbean Community (CARICOM).

CARICOM member States wish to thank the President of the Human Rights Council, Ambassador Luis Alfonso de Alba, for his statement. We would like to take this opportunity to congratulate Ambassador De Alba on his election as the first President of the

Council. CARICOM member States consider it a great honour for the Latin American and Caribbean Group that the States members of the Council agreed to designate a member of our Group as the first President of the Human Rights Council. We are also pleased to note the decision that the composition of the Bureau will fully respect the principle of equitable geographical distribution.

We would like to extend our congratulations to all those elected as members of the Bureau and to the membership of the Human Rights Council as a whole for undertaking the challenge of revamping and strengthening the United Nations human rights machinery with the aim of ensuring the effective enjoyment by all of all human rights: civil, political, economic, social and cultural rights, including the right to development.

In this context, we note the progress made during the first session of the Human Rights Council towards the implementation of 60/251, particularly with the establishment, at its first session, of two open-ended intergovernmental working groups to address, respectively, the universal periodic review and institution-building.

For CARICOM member States, the core of the work of the Human Rights Council is the establishment of a cooperative mechanism for the promotion of human rights, serving as a vehicle for the promotion of genuine cooperation for capacity-building and mutual assistance. We endorse the view expressed by the Secretary-General that the Council's work should mark a clean break from the past; that should be apparent in the way it develops and applies the universal periodic review mechanism.

CARICOM is of the view that the development of a universal periodic review that is impartial and applicable to all States will usher in a new era of international cooperation on human rights matters. The work of the Human Rights Council working group tasked with the development of modalities, as well as the allocation of sufficient time for the review, are critical. We note the decision of the Council to hold informal consultations through an open-ended consultative process in order to compile proposals and relevant information and experiences.

As the Human Rights Council discharges its mandate, we must always be mindful of the need to ensure that it caters not to political agendas but rather to humanity, and particularly those who have been denied their rights. If we maintain this perspective, then the Council should be able to promote and protect the highest ideals and standards of human rights.

Mr. Skinner-Klée (Guatemala) (*spoke in Spanish*): We would like, first of all, to join with those who have expressed gratitude to Ambassador Luis Alfonso de Alba, President of the recently created Human Rights Council, for having accepted the invitation of the General Assembly and the Third Committee to introduce the report of the Council (A/61/53) and to discuss, in two parts, something which — in the view of my delegation — should have been discussed at one plenary meeting of the General Assembly, such as this morning's. We understand that the division of labour makes it possible to accommodate the various positions of delegations, and we accept it this year, on the understanding that this not constitute a precedent for the future consideration of the work of the Human Rights Council.

Given the importance of the role of the United Nations in the area of the promotion and protection of human rights, we believe that when the General Assembly receives and discusses the annual report of the Human Rights Council, its consideration will not become merely a symbolic act or an annual ritual. Rather, it must be a working tool that allows the General Assembly, in an exhaustive and complete manner, to fulfil its role as supervisor of the work and policies adopted by the Human Rights Council.

It is imperative that we move forward in consolidating the Human Rights Council, a body which we have accorded the responsibility to promote universal respect for all human rights and fundamental freedoms of all persons. That is why, when we consider its report, we must accord it the importance that it merits; our consideration must be comprehensive. The submission of the report and our consideration of it constitute the main link between the General Assembly and the Human Rights Council. As for the report itself, we hope that it will not be merely descriptive or overly long but, rather, that it will contain assessments that will enable all States Members of the Organization to understand and assess the Council's work. The report should highlight developments with respect to achievements in the area of human rights and present observations regarding situations in which such rights have been violated.

Given that the Human Rights Council was recently created and that it is still in the organizational stage of its endeavours, some delegations were concerned to hear the President's account of what took place during the first regular session and the first two special sessions. We acknowledge that, of those, only the first session concerned the regular work of the body. During that session, two important resolutions recommended by the Council were adopted: the International Convention for the Protection of All Persons from Enforced Disappearance; and the United Nations Declaration on the Rights of Indigenous Peoples, which we will consider this afternoon in the Third Committee. We are aware that the Council President may not need to report personally to the Assembly every year for the consideration of each and every item.

As a member of the Human Rights Council, Guatemala recognizes that crucial tasks remain unfinished: the ongoing reform of its working methods and the fulfilment of the lofty ideals for which it was created. All of that requires time and dedication to carry out the Council's mandate as well as a responsible, constructive, transparent and inclusive dialogue among its members.

We support the decision to extend exceptionally for one year the mandates and the mandate holders of all the special procedures of the Commission and of the Sub-Commission on the Promotion and Protection of Human Rights, as well as the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII). We also welcome the establishment of the intersessional open-ended intergovernmental working group to determine the modalities of the universal periodic review mechanism, which will have to be based on a transparent, objective and impartial methodology designed to permit genuine dialogue and to avoid selectivity, double standards and politicization.

Finally, I wish to express my delegation's satisfaction with the work accomplished thus far by the Human Rights Council. My Government is convinced that strengthening the Council and promoting universal respect for the protection of all human rights and fundamental freedoms will undoubtedly pave the way for peace and security throughout the world without distinctions of any kind and in a just and equitable manner.

Ms. Hughes (United States of America): Since the founding of the United Nations and the establishment in 1946 of the Commission on Human Rights, the United States has led efforts to promote and protect human rights. We remain true to our fundamental belief in and pursuit of human rights, both at home and around the globe.

It was in that spirit that the United States engaged in the negotiations to create a new, stronger successor body to the Commission on Human Rights. We sought to set the highest standards for membership in the new body and to provide it with the tools it would need to make a real and significant difference in the promotion and protection of human rights. While the results of the negotiations fell short of our hopes, the United States nevertheless committed itself to working cooperatively with members of the Human Rights Council and with other partners to help shape the Council into a mechanism that could meet the high expectations of countries and, most especially, of victims of abuse.

The Council has gotten off to a slow and discouraging start. Some say that that is due in part to the growing pains of a new institution. That is not an excuse; it is not reason enough to allow the Council to become sidetracked from its reason for being. It is up to the members of the Human Rights Council to exercise the political will and determination — and to have the intellectual honesty — to make the Council into the body that it is supposed to be.

The first two regular sessions of the Council haltingly began the work of laying the foundations for the Council's work, but much remains to be done. Our greatest disappointment lies, however, in the Council's failure to pronounce itself equitably and forcefully on serious human rights situations that endanger persons in various regions of the world.

To date, the Council has accomplished little that will make a concrete and significant difference in the lives of millions around the world who are prevented from enjoying and exercising their rights. It has failed to reach agreement to address egregious violations of human rights in places such as the Sudan. In this time of tension among peoples of different faiths and cultures, the Council has also missed the opportunity to promote a dialogue to increase understanding and tolerance among religions and cultures. The Council could reaffirm — and should have reaffirmed —

fundamental rights such as freedom of thought, conscience, religion and association.

As the Council approaches its third regular session, we are faced with yet another call for a special session on the situation in the occupied Palestinian territories. This will be the third such session in less than a year of the Council's operation. Some States seem to view the Council as just another arena in which to play political games, and not as a vehicle for advancing the cause of human rights or for giving redress to the victims of abuse.

The Council has two sessions remaining in this first transitional and critical year. If it is to meet the expectations and hopes of people all over the world, its members must seize the opportunity presented to them to shape it and set it on the right path. They have a responsibility to build a Council that can truly protect and promote human rights around the world. Sadly, so far, the Human Rights Council, into which was put so much hope and work, has been a disappointment. We can only hope, and work to help ensure, that it reverses course and fulfils the purpose for which it was created.

Mr. Abdelaziz (Egypt): Permit me at the outset to express my delegation's deep appreciation to Ambassador De Alba, President of the Human Rights Council, for his report (A/61/53) and for his diligent leadership of the Council. We believe that, under his capable leadership, the Council will be successful in fulfilling its mission and will be able to overcome the difficulties preventing the attainment of its objectives.

We have replaced the Commission on Human Rights with the Human Rights Council. That was an important step aimed at eliminating all the problems that troubled us — problems related to the way in which the international community dealt with human rights issues as a result of politicization, double standards and selectivity. It was hoped that that step would gear international political will towards overcoming those difficulties.

In that regard, we need to develop a clear vision as to how the new Council will deal with various aspects of the issue of human rights. In the view of my delegation, that starts with revising the means by which countries' specific draft resolutions are dealt with both in the Human Rights Council and in the General Assembly. There is a need for a firm stand against draft resolutions that are not based on objective and unequivocal evidence of systematic violations that truly require the attention of the international community.

On the other hand, we need the Human Rights Council to take firm decisions against grave and systematic violations of human rights, such as those committed in the Palestinian territories and Lebanon, and to take such decisions by consensus, not by divisive votes. For us, condemning and deploring alone do not work — it is not enough.

We need to establish the ground rules for a meaningful relationship between the Council and the General Assembly, particularly the Assembly's Third Committee. That was the fundamental reason why the Commission on Human Rights was detached from the Economic and Social Council and replaced by the Human Rights Council, to become a subsidiary body of the General Assembly.

Therefore, any attempt to have the Council take over the role of the Third Committee will eventually fail, since that would go against the will of the majority of this body. It is therefore not only necessary, but also in the interests of coherence, that the Council report all of its recommendations, including its resolutions and decisions, to the body that is institutionally responsible in that regard — namely, the Third Committee and, subsequently, the General Assembly.

We are fully confident that, in dealing with human rights issues, the Council will overcome inherited problems. In this regard, my delegation believes the following steps to be of the utmost importance.

First, we must institutionalize dialogue and cooperation, not confrontation, as a means of tackling human rights issues, with due regard for the diversity of cultures and civilizations. This requires us not only to expand the scope of the work of the Council to encompass dialogue and interaction with States, but also to pool our technical and financial resources to enable Member States to fulfil better, on their own, their obligations in promoting and protecting human rights and fundamental freedoms.

Secondly, there is a need to maintain a healthy and interactive relationship between the Council on the one hand and the Third Committee on the other, since the latter is the only international forum in the field of human rights in which all Member States are represented. It was on the basis of that belief that we

have extended an invitation to the President to hold annual interactive dialogues with Third Committee members.

Thirdly, we also need to provide the Council with the financial, administrative and technical resources it needs to perform its task, as well as to ensure implementation, so that it is not faced with financial constraints or technical problems, such as those that it is now facing. Our support for the Human Rights Council in this regard should not be less than our support for the Commission on Human Rights.

Fourthly, it is imperative to successfully complete the stage of transition from the Commission on Human Rights to the Human Rights Council by updating the mandates of the entire galaxy of committees, commissions, working groups and institutions in such a way that the interests of all States and the diversity of the thematic issues on the agenda are preserved and maintained.

Fifthly, we must coordinate our efforts so as to ensure that equal importance and attention are given to all aspects of human rights so as to avoid selectivity and prioritization.

In conclusion, I would like once again to welcome the President of the Human Rights Council and to wish him and the members of the Council all the best in their future endeavours aimed at promoting a better understanding of and an international dialogue on human rights issues and to overcome all the problems pertaining to the establishment of the Council. My delegation will further study the contents of the report and present its comments on it when discussing it under the relevant agenda item in the Third Committee.

Mr. Sinha (India): My delegation thanks the President of the Human Rights Council for forwarding the report of the Council (A/61/53). We convey our appreciation to him for steering the work of the Council in an effective and efficient manner. My delegation also conveys, through you, Madam, our full support to the President of the Council in his endeavours.

At the outset, we would like to express our satisfaction about the General Assembly decision on the consideration of the report of the Human Rights Council. As the Council is a subsidiary body of the Assembly, it is natural that all reports and recommendations of that Council be transmitted to the Assembly plenary through the Third Committee, where the expertise on human rights issues resides. However, we are conscious of the delays that may occur in consideration of the report if it were to be referred to the Third Committee in its totality, given the different schedules of the two bodies. We also recognize that the Human Rights Council began functioning in June 2006, and hence there is a need to adopt a flexible approach during the first year, and to formalize the reporting arrangements between the General Assembly and the Human Rights Council based on our experience over the next year.

The creation of the new Human Rights Council by the General Assembly reflects the collective resolve and commitment of the Member States to constantly adjust and improve the framework for addressing human rights challenges. It remains our expectation that in its work the new body will be guided by the spirit of cooperation and mutual understanding. We hope that the Council will evolve an even-handed approach in its promotion and protection of all human rights and translate the right to development into a reality. It should promote human rights through international cooperation and genuine dialogue among Member States, including capacity-building and mutual assistance, and emerge as a forum for voluntary participation and the sharing of national experiences and best practices in the promotion and protection of all human rights and fundamental freedoms.

The General Assembly resolution establishing the Council defined the broad parameters of the Council's architecture. It also mandated the Council to develop the modalities of its new mechanisms within one year. The Council is also required to improve and rationalize all mandates, mechanisms, functions and responsibilities of the former Commission on Human Rights.

The Human Rights Council has so far held two regular and two special sessions. As we note from the report, the Council has set up two intergovernmental working groups to devise a universal periodic review mechanism and to undertake the review and rationalization of mandates and mechanisms of the former Commission on Human Rights. Meanwhile, the Council has taken interim decisions to facilitate the uninterrupted functioning of the existing mandates during the transitional period. The Council also took action on substantive human rights issues, most

notably its recommendation to the General Assembly on the adoption of the draft Declaration on the Rights of Indigenous Peoples and the draft International Convention for the Protection of All Persons from Enforced Disappearance.

We note with satisfaction that the mandate of the Working Group on the Right to Development has been extended by one year. Further, by holding two special sessions, the Human Rights Council has demonstrated its ability to swiftly react to human rights emergencies. We remain conscious of the enormous challenges ahead of the Council in defining and operationalizing its architecture. Some progress in this regard has already been made within the framework of informal meetings of the two working groups. However, a lot remains to be done and therefore the focus of the Council's work during the remainder of the year should be on institution-building. The success of the Human Rights Council would, to a large extent, depend on the outcome of these processes.

India actively and constructively participated in the multilateral negotiations that led to the establishment of the new Human Rights Council. We remain committed to continue to work to make the Human Rights Council a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all.

Mr. Wenaweser (Liechtenstein): We welcome the presentation today of the report of the Human Rights Council (A/61/53) by its President. The establishment of the Council was one of the crucial decisions in the follow-up to the 2005 World Summit. The sometimes overwrought criticism of the Commission on Human Rights, its predecessor, created the need for setting the human rights discourse on a new basis. The Council offers the opportunity we all had been looking for to focus work of the United Nations on the implementation of human rights standards, on engaging in a genuine dialogue and on a better division of work between Geneva and New York.

The report before us is clearly structured and makes a welcome distinction between recommendations to the General Assembly and decisions taken by the Council. This format reflects the letter and the spirit of resolution 60/251 in that the Council has, of course, the competence to make autonomous decisions and, at the same time, make recommendations to the General Assembly as the universal body which continues to have competence in the field of human rights. The resolution establishing the Council makes specific reference, in this context, to recommendations for the further development of international law in the field of human rights, and the two recommendations contained in the report have therefore been forwarded to the Third Committee for action.

On 26 October, as the President described earlier, the General Assembly decided on a division of work between the plenary of the General Assembly and the Third Committee. We expect that this arrangement, reached after lengthy negotiations in the General Committee, will be honoured by all parties until its possible review at future sessions.

The Council has held only two regular sessions — the second of which has not yet concluded — and two special sessions. It has thus not gone through a full reporting cycle, and any pronouncement on the substance of its work must be preliminary. However, we note that the opportunity that the establishment of the Council offers has not been made use of to the fullest extent. It must be said in particular that the spirit of dialogue, which was the guiding principle in setting up the Council, has not been applied in practice in a satisfactory manner.

This situation was particularly damaging in connection with the second special session, where the Council first remained inactive for a considerable period of time and then was rushed to the adoption of a resolution that was barely consulted on and therefore passed by a strongly divided vote.

In general terms, it is fair to say that the Council has not been off to an easy start. It is understood that the first year of this new body should focus on institution-building and that the transitional phase the human rights work is going through will necessarily lead to more limited results on issues of substance. However, areas where substantive action is needed must still be forthcoming; results should be sought on the basis of consultations that go beyond regions and interest groups and with the full involvement of States that are not members of the Council.

One of the new features of the Council that differ from the Commission is the special responsibility conferred on the members of the Council for upholding the highest standards in the promotion and protection of human rights. This special responsibility does not

entail, however, the exclusion of States that are not serving as members. Resolution 60/251 in fact states quite the opposite, and the discussions in Geneva have illustrated clearly that the quality of the Council's work would benefit from stronger involvement of States that do not serve as members.

While there was much enthusiasm about the fresh start for the human rights work of the United Nations, there have not been enough concrete ideas about how to shape this fresh start. We commend the President of the Council for the initiatives he has taken in this respect, but we also believe that States must come forward themselves with innovative approaches that are in keeping with resolution 60/251.

On several occasions, the temptation to slip back into the well-known patterns of the Commission — and sometimes even worse patterns of behaviour — was too strong to resist for many. This trend must be reversed and it must be reversed soon. Like any new body, the Council must be given a grace period and have the opportunity to organize its work and proceedings in a circumspect and undisturbed manner. But this grace period is quickly coming to an end, and the efforts to put the Council on a solid foundation are nowhere near conclusion.

It is therefore crucial that the close of the second session be prepared carefully and in a manner which leads to the adoption of a limited number of decisions dealing with matters of substance and matters of urgency. We should see to it that these decisions are made with the strongest possible political support.

The Council's third session could also make a number of substantive decisions on the basis of thorough preparation and wide consultations. In parallel, the necessary clarity should be created in the area of working methods, which should be guided by the principles of inclusion and dialogue. This approach will enable the Council to become a fully operational and fully functional body, in particular after decisions have been reached on the issues of universal periodic review and review of special procedures.

Mr. Berruga (Mexico) (*spoke in Spanish*): At the outset, my delegation would like to thank the President of the Human Rights Council, Ambassador Luis Alfonso de Alba, for having introduced this first report of the Human Rights Council and for the efforts he has shown in carrying out the Council's work during this stage of consolidation.

The establishment of the Human Rights Council constitutes the most important progress and updating of the institutional human rights multilateral framework in recent decades. With this decision of the General Assembly, we have strengthened human rights and placed this topic as one of the three major pillars of collective action by the international community today.

Mexico welcomes with satisfaction the progress made by the Council in the first months of its endeavours. We trust that, with the constructive spirit and renewal that led to its establishment, States will succeed in overcoming the inertia that in the past has had a negative impact on the work of the former Human Rights Commission.

Mexico welcomes the fact that the Council has taken the first steps in carrying out its important responsibilities by developing an international legal framework for human rights. The adoption and remittal to this General Assembly of the draft international instruments relating to forced disappearances and the rights of indigenous peoples is clear proof of the progress made by the Council in these areas. We hope to see progress as well in the development of other important instruments and standards under consideration by the Council.

On the other hand, the fact that the Council held two special sessions in the first months of its work indicates a difference in its way of analyzing emergency human rights situations, as compared with its predecessor, the Commission. In light of these important advances, it is important to acknowledge that, at this stage of formation, the Council is dealing with special challenges that demand innovative approaches in keeping with the high priority and responsibilities that the States have conferred upon it. More than ever before, we must show our political commitment to its work and to provide the Council with the necessary tools in order that it can carry out the mandate we gave to it barely a few months ago in this very Hall.

In this connection, Mexico renews its commitment to continue working constructively in the working group entrusted with the design of the modalities of the universal periodic review mechanism, which, we hope, will be able to lay the foundation to ensure full observance of human rights through cooperation, transparency and mutual respect.

Likewise, we attach the highest importance to the work started by the Council on the review of the mandates of special procedures. Not only should consistency be sought in the functioning of special procedures, but this exercise must have visible effects on the ground, guaranteeing access by our citizens to available international protection mechanisms and establishing a clear correlation between the recommendations adopted by the Council and their real implementation.

At this stage of transition and of institutional consolidation of the Council, one of the priority issues that we must consider is the establishment of a sound and clear relationship between the Third Committee and the Human Rights Council. We must do this so as not to put at risk the considerable progress we have achieved in both bodies. As we see it, the work of these two bodies is complementary, and thus it is most important for us to begin shortly a discussion on their mutual division of work in order to strengthen a well integrated interaction between them and avoid any unnecessary duplication of functions and initiatives that can be detrimental to the work of both bodies.

The success of the Human Rights Council bears a strict proportion to the trust that the Member States place in it. We must not forget that the establishment of the Council came in response to the commitment of us all to enhance the human rights mechanism of the United Nations in order to ensure that all persons enjoy all human rights, as set forth in the twelfth preambular paragraph of resolution 60/251.

Let us make sure that this commitment is translated into tangible actions, thus enabling the Human Rights Council to carry out the ambitious agenda we have given it, so as to be equal to the demands of the international community of the United Nations in this very delicate matter.

Mr. Rachkov (Belarus) (*spoke in Russian*): My delegation welcomes the report of the Human Rights Council and expresses its gratitude to Ambassador de Alba for his work as President.

We also feel that the report should be considered first by the experts in the Third Committee and then in the plenary of the General Assembly.

At this time, the Human Rights Council is going through an important and predetermining phase as it becomes the fundamental human rights organ of the United Nations. The results of the first session and the two special sessions confirmed the correctness of the General Assembly decision to establish this United Nations body. Important decisions were adopted to establish an intergovernmental open-ended working group to develop the modalities of the universal periodic review mechanism and also to analyze and rationalize the mandates and mechanisms of the special procedures. These decisions make it possible for us to assess critically the inheritance left to us by the Human Rights Commission, to keep what is good and to discard the negative experiences of the Commission.

By adopting United Nations resolution 60/251 on the creation of the Human Rights Council, we confirmed our determination to ensure universality, objectivity and non-selectivity in considering human rights questions and also the need to eliminate double standards and politicization. The universal periodic review will allow systematic study of the human rights situation in all countries and to assess those situations on the basis of unified criteria. Such an approach must exclude politicization of human rights issues and should serve as the basis for constructive dialogue on questions of the observance of human rights.

During the planned review and rationalization of all of the mandates and mechanisms in the transition from the Committee to the Council, we intend to speak in favour of keeping and, where necessary, strengthening the special procedures. However, this support will be given only to those procedures that were not created for political reasons and have not compromised the Council by exceeding the powers contained in the mandate. The Council must take firm decisions on not adopting mandates like those that politicized and discredited the Human Rights Commission and led to the failure of its work. The negative experience of the politicization of human rights issues by individual countries and the application of double standards to exert pressure on other States should be left in the past. This relates in particular to resolutions and procedures relating to specific countries. In this respect, we note with satisfaction that the Council has not eliminated the country mechanisms, but will use them only when truly necessary.

However, can we confirm that the politicization of the mechanisms for the protection of human rights is in the past? Unfortunately, the answer is no, and this has been said before. It is generally recognized that

today no country must escape criticism in the area of human rights. Human rights is a very sensitive issue for the majority of States. Unfortunately, some countries frequently use this factor within international organizations to pursue their own political interests. Having failed to achieve their goals in the Commission on Human Rights, such States continue to manipulate human rights issues and to introduce politically motivated draft resolutions on specific countries in the Third Committee, thus dragging the international community into bilateral relations. These Third Committee draft resolutions threaten the future and destroy the trust of the international community.

When we carry out reviews, we need to ensure that they are comprehensive and that they relate equally to all countries. In the context of elaborating the working methods of the Human Rights Council, we believe that before concluding the process of determining the form of the periodic reviews and rationalizing the special procedures it would be useful to call a moratorium on all such country-specific draft resolutions in the Third Committee.

We call on the States Members of the United Nations to support our delegation's position relating to country-specific resolutions, including by refusing to lend support to the sponsors of politically motivated draft resolutions on human rights in Belarus.

Mr. Soler Torrijos (Panama) (*spoke in Spanish*): Let my first words be to express our thanks for the submission of the first report of the Human Rights Council to the General Assembly (A/61/53) and to congratulate its President, Ambassador Luis Alfonso de Alba, on his endeavours. The task of building up the Council is in his hands, and we are convinced that under his leadership the Council will continue to become stronger as the most appropriate arena for promoting the work of the United Nations in favour of the cause of human rights throughout the world. For us, it is also fundamental to highlight the work done by the Office of the United Nations High Commissioner for Human Rights in providing significant support for the smooth transition from the Commission to the Council.

With the adoption of General Assembly resolution 60/251, which established the Human Rights Council, the Council's foundations were laid and a number of principles to guide its functioning were established. The Council must now carry out the enormous work of giving these principles greater content and solidity. Like other delegations, we would have liked this process to move forward more rapidly. However, we are aware that the Council has before it decisions which require a greater level of attention. We do not lose sight of the fact that the Council has made significant achievements since it began its operations, including the adoption of the International Convention for the Protection of All Persons from Enforced Disappearances and the United Nations Declaration on the Rights of Indigenous Peoples and the holding of two special sessions to deal with urgent violations of human rights.

It is true that an important part of the work of the Council has been devoted to a large number of procedural issues. In this context, we are grateful for the support of the Office of the United Nations High Commissioner for Human Rights in this area, particularly with regard to the modalities of the universal periodic review. As we see it, this mechanism, like that of the special procedures, will be fundamental in the work of the United Nations to promote the protection and promotion of all human rights: civil, political, economic, social and cultural rights, as well as the right to development.

There is a great deal of work still to be done here. Proof of the Council's efficiency in carrying out its mandates will be in the creation of this universal periodic review mechanism and in its capacity to correct the problems of selectivity and excessive politicization in analysing the situation of human rights in countries.

The Human Rights Council still has several important decisions ahead. More than a single fortunate initiative, what is at stake is the very effectiveness of the United Nations to fulfil the principles and purposes of the Charter, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action with regard to the promotion and protection of human rights throughout the world.

We take this opportunity to express our opinion on the division of labour which should exist between the Third Committee and the Human Rights Council. The work of evaluation and follow-up of the situation of human rights in specific countries is a task for the Human Rights Council, whose issues should be addressed through mechanisms and special procedures for that purpose. We believe that the General

Assembly's Third Committee is appropriate only to adopt general expressions that indicate the international community's feelings on such topics. In any case, detailed study on human rights situations and recommendations to deal with them are tasks for the Human Rights Council, a body which we have empowered to that end. We urge all delegations to turn to the Human Rights Council for specific evaluations and follow-up of emergency situations which affect human rights in any part of the planet.

We have been attentively following the process of building up the Council. Our country, which was born linked to international activity, and which during its history suffered both the consequences of the loss of human rights and the benefits of their recovery, remains committed to the strengthening of human rights throughout the world, and in particular the strengthening and consolidation of the United Nations human rights machinery.

Mr. Reyes Rodríguez (Cuba) (*spoke in Spanish*): The Cuban delegation has prepared a formal speech for this debate. We will give it this afternoon when the Third Committee has an opportunity to consider the report of the Human Rights Council (A/61/53) and to hear the views of delegations on this issue. Nonetheless, in cooperation with you, Madam, as you carry out your mandate as President, and above all because of our respect for the presentation made by the President of the Council, we have agreed to have this debate this morning.

In reality, we believe this is a negative precedent for our future work and for the General Assembly's oversight of the work of the Human Rights Council. This debate should never have taken place before the Third Committee had an opportunity to listen, study and consider the report of the Human Rights Council. Clearly, Cuba uses every opportunity and every arena to set out its views in this area which, unfortunately, is one of the main issues on the United Nations agenda.

Thus, in a sort of brainstorming session, we are going to share some of our views and concerns on the future work of the Human Rights Council.

First of all, I would like to join other delegations that have spoken this morning in expressing our sincere gratitude for the efforts and skilful guidance of Ambassador Luis Alfonso de Alba at the helm of the Human Rights Council.

We disagree with delegations that have expressed great concern about what they believe was a disaster in Geneva. Cuba believes that this is a rather complex process. Moving ahead hastily and taking risks could therefore lead to a repetition of the mistakes that led to the failure and eventual demise of the Human Rights Commission. We believe that the key factor that led to the establishment of the Council was precisely the need to put an end to the political manipulation of the work of the United Nations human rights machinery. I think that we would contribute little to the promotion of human rights for all — which, after all, is our main goal — if we were to repeat those unsavoury practices.

In that connection, we share the opinion of the delegation of Egypt that there is a need to give significant priority to addressing violations of human rights wherever they occur in the world. I would like to emphasize that we are of course not referring to the situation in Palestine or violations of human rights in the Middle East. Cuba reaffirms its resolute support for maintaining the issue of Palestine on agenda of the Human Rights Council. The fact that it has been necessary to convene three extraordinary sessions of the Human Rights Council to consider the situation in Palestine has not been because the Council has manipulated the issue or given it selective treatment. Regrettably, it has been because of the grave violations of human rights that are taking place in that part of the world, which are affecting the lives of thousands of women, children, older persons and other members of the brotherly people of Palestine.

However, we think that is very important, and we believe that one of the first issues to be resolved in the Council's work is the need to establish clear-cut procedures for the adoption of country-specific resolutions. We believe that when the Commission on Human Rights decided to take up the practice of adopting country-specific resolutions it did so essentially to address serious, massive and systematic violations of human rights. Specifically that pertained to extrajudicial executions, wide-scale torture and mass and arbitrary deportations. Unfortunately, the Human Rights Commission in recent years adopted resolutions aimed at questioning the constitutional order in certain countries. That is the sort of practice that must be stopped. That is the sort of interference in the internal affairs of States — including in particular those that question the right of peoples to self-determination — that the Council cannot afford to repeat.

Another basic issue that we believe must be addressed is the need to clearly define the subordinate role of the Human Rights Council to the various working bodies of the General Assembly. Allow me to repeat that, as far as Cuba and many other delegations are concerned, the Third Committee should be the first body — and, subsequently, the plenary of the General Assembly — to take a decision on the report of the Human Rights Council. We shall continue our efforts and demand that that understanding, which we believed had already been agreed, is duly implemented.

Another of Cuba's key concerns has to do with the need to find a satisfactory solution to the work done by the two bodies created by the Human Rights Council to implement resolution 60/251. I refer basically to the working group charged with establishing the modalities for the universal periodic review mechanism and the working group established to implement paragraph 6 of resolution 60/251 — the latter being the group mandated with rationalizing and reviewing the work, mandates and mechanisms inherited from the former Commission on Human Rights. Cuba believes that those two groups must work in tandem.

We would like to raise an alarm about the possibility that a group of countries may attempt to make progress on just one track, thereby blocking or impeding the implementation of the mandate to review and rationalize the mechanisms. I should point out that we are not making that warning out of delusion or unfounded concern. It should be recalled that after the Vienna World Conference on Human Rights, the General Assembly, and basically its Third Committee, created a working group on the implementation of paragraphs 17 and 18 of the Vienna Declaration. A group of countries, of which Cuba was part, demonstrated flexibility, making it possible to make progress in setting up the post of United Nations High Commissioner for Human Rights while leaving paragraph 17 pending — a situation that continues today. It will therefore be a priority for Cuba that both groups work in tandem and that they fulfil their mandates simultaneously.

Another issue we would like to share with the Assembly has to do with the need to establish an agenda for the Human Rights Council. By that we do not mean the provisional agenda that has been utilized in the Council sessions to date. We are referring to a thematic agenda — which will clearly have to include the issue of Palestine — that will make it possible for delegations to truly be prepared for substantive Council debates. At the Council's third session, Cuba, along with a group of delegations, will make a major effort to work on this issue.

Mr. Majoor (Netherlands), Vice-President, took the Chair.

Another concern of the Cuban delegation pertains to the need, as the Council consolidates itself, for it to clearly define its working methods and procedures. I mention this because resolution 60/251 is very clear in indicating that the rules of procedure of the General Assembly are the fundamental basis for the work of the Human Rights Council. Let me say, however, that the delegation of Cuba has felt that a group of delegations is questioning the validity of the rules of the General Assembly for the work of the Human Rights Council. In so doing they are seeking to avoid the use of points of order, procedural motions and other established and accepted practices in the Assembly's rules of procedure.

In conclusion, allow me to say that this great undertaking cannot succeed if we do not achieve progress with regard to the issue of equitable geographic composition of the Office of the United Nations High Commissioner for Human Rights. Cuba recently circulated a draft resolution that enjoys significant co-sponsorship and is designed to move ahead so that the General Assembly can pronounce on the need to achieve equitable geographic representation. This is not a second-tier issue. Let me say that, as the Assembly is aware, the Office, its staff and experts are precisely the ones who prepare reports and documents and provide all the substantive support for the Council's work. We can achieve the objective of a Council that is truly universal, representative of every region of the world and reflective of all the world's religions, as well as a Council that takes into account our cultural diversity and points of view as it seeks to provide full human rights for all, only when we also achieve the goal of improving the composition of the membership of the Office.

Lastly, I wish to reiterate Cuba's support for the efforts of the President of the Human Rights Council. We will work with all truly interested delegations that wish to ensure that the Council is the sort of body our peoples need to make progress in ensuring full human rights for all. We will not allow the Human Rights

Council to become a new inquisition tribunal to be used against the countries of the South, or to repeat the political manipulation of the Council's work, which so adversely affected the work of the Commission on Human Rights.

Mr. Normandin (Canada) (*spoke in French*): At the outset, I would like to express our sincere gratitude to the President of the Human Rights Council for all the work he has done, as well as for his introduction of the Council's report (A/61/53) this morning.

The adoption on 15 March of resolution 60/251, which established the Human Rights Council as a subsidiary organ of the General Assembly, was a historic opportunity to renew and reinforce our collective efforts to fulfil our common purpose under the Charter as Member States to promote and encourage respect for human rights. The establishment of the Human Rights Council was a significant milestone in making human rights, along with security and development, one of the three pillars of the work of the United Nations, as agreed by our leaders at the 2005 Summit. In the words of Secretary-General Kofi Annan, "we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights" (*A/59/2005, para. 17*).

Resolution 60/251 established a strong foundation and set out great responsibilities for this new organ. The Council's first responsibility is to promote universal respect for the protection of human rights and fundamental freedoms, without distinction of any kind and in a fair and balanced manner. The Council is also responsible for addressing situations of violations of human rights, including gross and systematic violations, and for drafting recommendations in that regard. We have taken note of the fact that the General Assembly has indicated that the Council's work should be guided by the principles of universality, impartiality, objectivity, non-selectivity, constructive international dialogue and cooperation. We must not fail to fulfil those responsibilities, for if we do we will fail all those around the world who have placed their hopes for better lives in larger freedom in this new organ.

Canada was honoured to be elected by the Assembly as a member of the Council. In announcing its candidacy for the Council, Canada made a pledge to work for an effective Council and to continue to cooperate with its mechanisms and with the Office of the United Nations High Commissioner for Human Rights. Canada intends to honour its pledge. All members of the Council and all States Members of the United Nations have a duty to cooperate with the Council and its mechanisms.

In resolution 60/251, the General Assembly decided that the Human Rights Council should submit an annual report to it. The report that has been presented to us today covers the Council's first session as well as its first and second special sessions. The Council made significant achievements at its first session, in particular the adoption by consensus of a new Convention that will strengthen protections against enforced disappearance, which are a grave human rights violation that continue to be perpetrated around the world. Canada was pleased to be able to participate in a dialogue with the High Commissioner for Human Rights following the Council's first session. We reiterate our support for the High Commissioner and underscore the independence of his functions.

The Council also established by consensus two working groups. One will carry out the important task of determining the modalities of the universal periodic review, a process that will promote the implementation by all States of their obligations, and the other will focus on the review and strengthening of the mandates of the former Commission on Human Rights. During this year of transition, the Council should focus on establishing strong institutions while at the same time fulfilling its mandate to promote respect for human rights. That is a difficult but crucial task.

Nevertheless, it was disappointing that at the Council's first session some States chose to pursue the path of divisiveness rather than the more constructive path of international dialogue and cooperation that the Assembly called for in resolution 60/251. We regret the adoption by the Council of some instruments and decisions by a vote, where more dialogue could have led to broader agreement and greater impact on the ground.

The Council is not an end in itself, but a means to an end. The Council provides an opportunity to show that a focus on implementation, dialogue and cooperation can produce measurable improvements with regard to human rights where it matters most, namely, on the ground. We must build on the foundation of resolution 60/251 to ensure that the

Council is truly effective in protecting human rights and that it makes a positive difference in the lives of people around the world. Canada has always been a proponent of multilateralism — but effective multilateralism that favours results over processes.

The challenges are huge, because establishing and strengthening institutions requires a great deal of time, creativity and commitment. All States Members of the United Nations must reaffirm their commitment to seize the opportunity provided by resolution 60/251 by fulfilling the Council's responsibility to promote respect for human rights for all. Canada will work to ensure that the Council is able to respond to urgent human rights situations and that it maintains a focus on the implementation of the rights that belong to everyone.

Mr. Maurer (Switzerland) (*spoke in French*): We would like to thank the President of the Human Rights Council for his report (A/61/53) on the Council's initial work. We would also like to thank him personally for his tireless endeavours as President of the Council.

Switzerland welcomes the 26 October 2006 decision of the General Assembly regarding the allocation of agenda item 68, entitled "Report of the Human Rights Council". My delegation supports the compromise through which this year's report of the Council will be taken up both in plenary meeting and in the Third Committee, on the understanding that the Committee will focus solely on the recommendations of the Human Rights Council to the General Assembly, including recommendations aimed at the development of international human rights law. We favour such a distribution of work and believe that this compromise is valid this year because the Human Rights Council did not begin its work until June 2006.

The Human Rights Council constitutes one of the major reforms of the Organization. It is a decisive step towards the promotion and the protection of human rights that reflects our collective determination to place the three pillars of the United Nations — security, development and human rights — on the same level. However, we would like to emphasize that this is only one phase, for real reform to promote and protect human rights will entail fully implementing resolution 60/251, which established the Human Rights Council.

We began that implementation by inaugurating the Human Right Council at Geneva on 19 June 2006, a new United Nations body that Switzerland is proud to host. Above all, we launched the hope that henceforth victims of human rights violations will be able to benefit from increased protection and that the more ambitious goal of preventing such violations could be achieved. We must ensure that that hope is translated into reality, for the sake of the credibility of the United Nations.

The first sessions of the Human Rights Council — the regular and special sessions alike — have illustrated that the Council provides us with an adequate tool to achieve the goal we have set for ourselves. The regular sessions were able to address both questions of substance and those pertaining to the consolidation of the Commission itself. In particular, we welcome the substantial interactive dialogue that took place during the second regular session between States, civil society and the High Commissioner for Human Rights, dealing with the special procedures by theme and by country.

The holding of the two special sessions on the situation in the Gaza Strip and in Lebanon also demonstrated that the Council has the capacity to intervene promptly in the event of a human rights emergency, in accordance with its mandate. There is, of course, room for improvement, especially as regards how draft resolutions are introduced and adopted. Let us recall that the culture of dialogue that all Members of the United Nations desire must be strengthened. Members of the Council must in the future demonstrate their willingness to negotiate. It is crucial that the Member States of the Council adopt a more coherent approach that is more in line with the commitments they undertook voluntarily regarding the Council. Moreover, the human rights situations in other contexts and parts of the world also merit specific and detailed examination.

At this stage, the Council is still an instrument whose use is a sensitive matter. We should all demonstrate an open and constructive spirit in order to further strengthen this new body. The Council has the potential to strengthen and to improve the United Nations human rights system — if resolution 60/251 is fully implemented — through the potential for cooperation in this new body, the innovation of the universal periodic review process and by an increase in the number of sessions, which will make possible more sustained commitment throughout the year.

The months that remain until the end of June 2007, when the Council's first year will conclude, should enable us to put in place a universal periodic review mechanism and to revise and adapt the mandates transferred from the Commission on Human Rights. Such institutional consolidation is a priority. At the same time, it will be crucial to demonstrate that the Council can respond appropriately and effectively to situations in which human rights are violated.

The tasks awaiting us in Geneva are therefore substantial, but they are not insurmountable. It will also be important to determine the relationship and distribution of tasks between the Third Committee and the Human Rights Council. That matter is currently pending, but will require the attention and commitment of all the actors concerned in the capitals, in Geneva and in New York.

In conclusion, if we can set partisan and ideological differences aside in order to focus on the interests of victims, we will succeed. Those interests take precedence, and must always take precedence, because it is on that criterion alone that the Human Rights Council and the United Nations will ultimately be judged.

Ms. Martina (Ukraine): It is an honour to participate in the discussion of the first report (A/61/53) of the Human Rights Council to the General Assembly.

The establishment of the Council and the beginning of its functioning launched a new era in our efforts to achieve universal promotion and protection of human rights. It also marked a significant step towards the implementation of commitments made at the World Summit in 2005.

We welcome the report of the Council, which was introduced by the Council's President, Ambassador de Alba. It is important that the efforts of the Council's members at the first session were aimed at ensuring the effective functioning of this universal human rights body and, in particular, at fully employing the potential available in all of the Commission's valuable assets and not allowing them to be lost during the transition process. In that regard, we welcome the Council's decision to extend all of the Commission's mandates, mechanisms, functions and responsibilities, which should be further strengthened and become useful instruments for the Council. We also appreciate the Council's adoption of the draft International Convention for the Protection of All Persons from Enforced Disappearance. We would like to express our full support for its adoption by the General Assembly.

Ukraine has always supported the elaboration of an international instrument for the effective protection and promotion of the rights of indigenous peoples. Unfortunately, owing to the procedure used for the introduction of proposals for adoption by the Council, the Declaration on the Rights of Indigenous Peoples, while containing very useful provisions aimed at protecting the rights of indigenous peoples, contained some fundamental flaws and did not enjoy consensus in the Council.

A huge amount of work remains to be done in order to make the Council work without confrontation and avoiding the selective, politicized and double-standard approaches, for which the Commission was widely criticized in the past. Constructive dialogue and cooperation should be the basis for the Council's efforts to improve the record of States in the area of human rights. We see that task as having been the primary aim of the reform from the very outset.

We are, therefore, convinced that it is important to establish a productive universal periodic review mechanism that is based on clear-cut criteria applicable to all countries without exception and aimed at providing specific conclusions and actionable recommendations. We welcome the fact that the Council has begun this important work and hope that that task will be completed by the end of the Council's first year of work.

While improving existing United Nations mechanisms and developing new approaches to the protection and promotion of human rights, the Council should also pay special attention to the development of prevention mechanisms. It should speak out clearly and in a timely manner against emerging situations that might bring about gross violations of human rights.

We also believe that the Council must develop mechanisms to establish interaction and cooperation with regional and subregional organizations. Indeed, while there are organizations with great experience in human rights issues, there are also subregional entities that could also contribute to, and gain from, cooperation with the Council. Among them are the Ukrainian-Georgian joint initiative known as the Community of Democratic Choice and the Organization for Democracy and Economic

Development, which see as one of their main objectives the goal of intensifying cooperation in the fields of democracy, human rights and the rule of law.

As a member of the Council, Ukraine will make every effort to ensure that the Human Rights Council fulfils its mandate responsibly and effectively, thereby improving the effectiveness of United Nations mechanisms in the areas of protecting and promoting human rights throughout the world.

Mr. Saeed (Sudan) (*spoke in Arabic*): Allow me at the outset to welcome the President of the Human Rights Council, Ambassador De Alba, and thank him for introducing his report to the General Assembly. We are grateful for his efforts and those of all the members of the Council.

The Sudan will make a detailed statement on the report, complete with recommendations and observations, when it is debated under agenda item 68 in the Third Committee this afternoon.

The Sudan participated actively and in a spirit of purposeful, constructive dialogue in the lengthy consultations that culminated in the establishment of the Human Rights Council and the adoption by the General Assembly of resolution 60/251 on 15 March. The Council was created within the framework of reforming and reinvigorating the Organization in order to dispel the stagnation that has characterized it over the past 60 years and made it unable to express and reflect the new realities, facts and events of the international community.

The arguments put forward by the United States during the consultations were an extension of its unilateral attitude, arrogance and false pretensions to being the sole judge and jury in the field of human rights. The isolated and isolationist arguments made by the United States delegation were not accepted by the Members because they were clearly a politicized expression of selectivity and double standards. The General Assembly's decision to adopt the resolution on the Human Rights Council was strongly opposed by the United States because it did not correspond to that country's wishes and whims, whereby the Council would have become a pliable instrument to help the United States achieve its ambitions and carry out its schemes. Those whims and schemes were rejected through the exercise of the free will of the Member States, thereby defeating the United States exclusionary exercise, which was totally unacceptable to the international community.

During the consultations, the Member States had hoped that the Human Rights Council would be a framework for cooperation through dialogue and objectivity in order to avoid confrontation and the targeting of States of the South. That, of course, was unacceptable to the United States delegation, which chose the path of confrontation and the targeting of certain States.

If they had been made by a country that respects and consecrates human rights and has a clean or, at the very least, reasonable human rights record, the references to the human rights situation in the Sudan might have been found acceptable. We would have expressed our desire to convene a dialogue allowing us to exchange information and to seek to explain the reality of the situation in the Sudan and Darfur. However, because they were made by the United States — the world's worst violator of human rights — those references were amazing and ridiculous.

All are aware of the enormity of the gross human rights violations in the United States. The scandals of Guantánamo, Abu Ghraib, the clandestine prisons, and laws that violate the liberties, freedoms and privacy of American citizens through surveillance and other means are there for all to see. Our memory is fresh of the United States shameful support for the apartheid regime of South Africa. The story of United States human rights violations is not new, but history repeats itself every day and at every moment.

We call on the United States to address its human rights situation at home before it uses and abuses human rights forums to settle political scores and to achieve its narrow objectives and interests. We hope that the Human Rights Council will be a reflection of the approach favouring dialogue, cooperation and objectivity, and not that of the confrontation and selectivity that led us to reconsider the circumstances of the former Commission on Human Rights and to establish the new Council.

The Sudan reaffirms its commitment to working with the international community for the promotion and protection of human rights through mechanisms of cooperation, dialogue and capacity-building based on impartiality, objectivity and the absence of politicization, selectivity and double standards.

Mr. Badji (Senegal) (*spoke in French*): My delegation warmly congratulates the President and all the members of the Human Rights Council for the important work they have done this year, as reflected in the report submitted for our attention.

The General Assembly's consideration of the first report of the Human Rights Council, less than a year after its establishment, is an historic moment allowing us to focus on the functioning, effectiveness and efficiency of that body. It is certainly premature to take stock or even to make an exhaustive assessment of the work of the Council, which is still in its first year of functioning. However, given the conditions that prevailed at its establishment, we need to be attentive to its first steps.

My delegation feels it wise to recall that it was to preserve and consolidate the achievements of the former Commission on Human Rights and, above all, to mitigate its shortcomings that we decided unanimously on 3 April to create a body capable of ensuring the universal, objective and non-selective consideration of human rights matters.

Now that the Council has been up and running for a few months, it is time to welcome the climate in which its work has been undertaken at its several sessions, as well as the spirit of cooperation and dialogue displayed by member States. Particular attention was paid to making the Council's working methods more transparent and inclusive, thereby guaranteeing justice, equity and the full participation of all actors. During this transitional period and beyond, such an environment and adequate resources are essential if that body is to meet the expectations that led to its creation.

Returning to the report, my country welcomes the adoption of certain resolutions and decisions that will have a broad impact on the entire international community, such as that relating to the International Convention for the Protection of All Persons from Enforced Disappearance. We invite the General Assembly to adopt this international instrument which strengthens the system of protection of human rights.

As regards the United Nations Declaration on the Rights of Indigenous Peoples, my delegation feels that, although this is an extremely important text, it is essential that we expand and deepen consultations on this subject so as to fill in any possible gaps and achieve the broadest possible consensus.

Here, I should also like to encourage the working group concerned with devising the modalities for the procedure for the universal periodic review of the protection and promotion of human rights in all countries, a mechanism that will be important, impartial and fair.

In this same context, we should also welcome the adoption at the two special sessions of the Human Rights Council of resolutions on the urgent humanitarian situation in Palestine and in Lebanon, which is still at the forefront of our attention.

We share the conviction that the respect and promotion of all human rights without distinction, including the right to development, is one of the main guarantees of peace and stability at the national and international levels. That is why we must ensure that we denounce and, if necessary, take appropriate measures to deal with all forms of violations of human rights, without prejudice and with full objectivity.

Our fight should also lead to encouraging all countries to become party to and to conform with pertinent international instruments relating to the respect and protection of human rights.

Senegal, reaffirming its devotion to the respect of human rights, once again welcomes the establishment of the Human Rights Council and undertakes to spare no effort to enable it to discharge its mission successfully in accordance with its statement of commitment.

The Acting President: We have heard the last speaker in the debate on this item. The Assembly has thus concluded this stage of its consideration of agenda item 68.

Organization of work

[*The President in the Chair.*]

The President: I should like to consult members regarding the extension of the work of the Sixth Committee.

Members will recall that at its second plenary on 13 September 2006, the General Assembly approved the recommendation of the General Committee that the Sixth Committee would complete its work by Thursday, 9 November 2006. However, I have been informed by the Chairman of the Sixth Committee that the Committee has not been able to conclude its work by Thursday, 9 November, and would need an additional meeting on 15 or 16 November 2006, depending on the availability of conference services.

May I therefore take it that the General Assembly agrees to extend the work of the Sixth Committee for one additional meeting?

It was so decided.

The meeting rose at 12.30 p.m.

United Nations A/61/PV.52

General Assembly

Sixty-first session

Official Records

52nd plenary meeting
Monday, 13 November 2006, 10 a.m.
New York

President: Ms. Al-Khalifa ..... (Bahrain)

The meeting was called to order at 10.15 a.m.

Agenda item 108 (*continued*)

Cooperation between the United Nations and regional and other organizations

(g) Cooperation between the United Nations and the Council of Europe: draft resolution (A/61/L.14)

(i) Cooperation between the United Nations and the Economic Cooperation Organization: draft resolution (A/61/L.8)

(m) Cooperation between the United Nations and the League of Arab States: draft resolution (A/61/L.17)

The President: Members will recall that the Assembly held its debate on sub-items (a) through (t) of agenda item 108 at its 38th and 39th plenary meetings, on 22 October.

I call on the representative of the Russian Federation to introduce draft resolution A/61/L.14.

Mr. Churkin (Russian Federation) (*spoke in Russian*): As the Chairman of the Ministerial Committee of the Council of Europe, Russia has the honour to present a draft resolution entitled "Cooperation between the United Nations and the Council of Europe", contained in document A/61/L.14, under agenda item 108 (g).

It is also my pleasure to announce that Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Kazakhstan, Lithuania, Luxembourg, Malta, Montenegro, Norway, Slovenia, Spain, Sweden and the former Yugoslav Republic of Macedonia have joined the list of sponsors.

I wish to thank all the sponsors of the draft resolution for their contributions and strong support, as well as those delegations that participated so constructively in its harmonization.

The draft resolution on cooperation between the United Nations and Council of Europe fully meets the aspirations of both organizations to closer cooperation in the field of peace and security, the defence of human rights, the struggle against terrorism, conflict prevention and post-conflict peacebuilding. Its adoption will no doubt promote the achievement of the Millennium Development Goals and the principle strategic goals adopted at the Third Summit of the Council of Europe, held in Warsaw, on the basis of democracy, human rights, the rule of law, cultural diversity and social solidarity.

I call on all States members of the General Assembly to pursue the partnership relations that have developed between the two organizations and to consolidate the shared work of the United Nations and regional organizations.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

06-61315 (E)

In conclusion, I express my sincere gratitude to all States members of the Council of Europe for their spirit of cooperation during our presidency. We hope that the draft resolution on cooperation between the United Nations and the Council of Europe will be adopted by the General Assembly without a vote and by consensus.

The President: The Assembly will now take decisions on the draft resolutions contained in documents A/61/L.8, A/61/L.14 and A/61/L.17.

We turn first to draft resolution A/61/L.8, entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

May I take it that the Assembly decides to adopt draft resolution A/61/L.8?

Draft resolution A/61/L.8 was adopted (resolution 61/12).

The President: We shall now turn to draft resolution A/61/L.14, entitled "Cooperation between the United Nations and the Council of Europe".

Cyprus has joined the list of sponsors of draft resolution A/61/L.14.

May I take it that the Assembly decides to adopt draft resolution A/61/L.14?

Draft resolution A/61/L.14 was adopted (resolution 61/13).

The President: We shall now turn to draft resolution A/61/L.17 entitled "Cooperation between the United Nations and the League of Arab States".

May I take it that the Assembly decides to adopt draft resolution A/61/L.17?

Draft resolution A/61/L.17 was adopted (resolution 61/14).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (g), (i) and (m) of agenda item 108?

It was so decided.

Agenda item 69

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: reports of the Secretary-General (A/61/79 and A/61/463)

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Letter by the Secretary-General (A/61/550)

Reports of the Secretary-General (A/61/85, A/61/87 and A/61/314)

(d) Assistance to the Palestinian people: report of the Secretary-General (A/61/80)

The President: So far this year, the world has been spared major natural disasters and there have been fresh opportunities for peace, be they in Uganda, the Democratic Republic of the Congo or Timor-Leste. As a result of those favourable circumstances, there has been a reduction in the number of events requiring humanitarian assistance this year.

That pause gives the United Nations opportunity to focus preparedness activities in several regions prone to natural events and to consolidate the humanitarian reforms initiated during the World Summit in September 2005. That reform programme has already been successful.

The Central Emergency Response Fund (CERF), established by the General Assembly last December, has delivered time-critical responses, saving lives in 25 countries. It was particularly effective during the Lebanon crisis this summer, providing immediate funding for the transportation of humanitarian goods across Lebanon when no funds would have been available otherwise. It will be important to continue to improve CERF and to ensure that it is fully funded in future.

Last week, the Secretary-General's High-level Panel on United Nations System-wide Coherence noted that the United Nations has a unique and leading role to play in humanitarian disasters and emergencies. The Panel also recommended various measures to enhance that role further, building on the ongoing reforms.

The humanitarian community continues to face a number of challenges in various areas.

First, there are a number of ongoing emergencies that need to be addressed urgently, such as the drought in the Horn of Africa, which is affecting 15 million people in five countries. Drought cycles have increasingly rendered populations more vulnerable to minor shocks that can disrupt livelihoods, trigger famine and even cause conflicts.

Secondly, access to populations in need of humanitarian assistance remains an issue of great concern. In the Darfur region of the Sudan, 3.6 million people are in need of relief supplies. However, access for humanitarian personnel is restricted due to growing insecurity. Since 30 June this year, 12 humanitarian workers have been killed in Darfur. A substantial grant from the Central Emergency Response Fund has allowed helicopter access to remote areas, but only for a three-month period. That is not a sustainable solution.

Thirdly, gender-based violence is also an issue of concern to the humanitarian community. Sexual violence is only one form of gender-based violence; forced conscription and the recruitment of boys into military ranks are others. Member States have the prime responsibility for preventing those violations by putting in place measures to prosecute perpetrators and by establishing structures to take care of their victims.

Finally, today's debate also covers sub-item (d) on assistance to the Palestinian people. Significant long-term financial support from the international community is needed in order to avoid a further degradation of the humanitarian and economic situation in Palestine. Due to the ongoing political uncertainty and economic hardship, United Nations agencies have directed most of their activities towards immediate emergency assistance.

As we conduct our deliberations today, let us keep in mind all the vulnerable people around the world in need of humanitarian assistance. Our common efforts to strengthen the coordination of the humanitarian and emergency response system of the United Nations should seek to reduce the suffering and improve the chances of survival in times of emergencies. We must not fail those who depend on the United Nations as their final hope.

Ms. Lintonen (Finland): I have the honour to speak on behalf of the European Union (EU). The acceding countries Bulgaria and Romania; the candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential candidates Bosnia and Herzegovina, Montenegro and Serbia; as well as Ukraine and the Republic of Moldova align themselves with this declaration.

The European Union wishes to thank the Secretary-General for the reports provided for this session. At the outset, the European Union wishes to express its condolences to respective countries in view of recent humanitarian emergencies resulting in lost lives and livelihoods. We wish to pay tribute to the courageous humanitarian field workers and express our sorrow over the personnel who have lost their lives in bringing assistance to those in need.

The European Union is committed to advancing the humanitarian reform agenda to promote a more predictable and effective humanitarian response, including the development of a stronger standing response capacity, improved coordination capacity and more predictable funding. The Union wishes to reaffirm the United Nations leadership role in humanitarian action and welcomes the improvements in humanitarian response now under way as a result of the reform efforts. However, joint and decisive action is needed to further improve humanitarian action and to prevent crises from the outset. The European Union is especially alarmed at the deteriorating humanitarian and security situation in the Sudan, particularly in Darfur, and in Sri Lanka.

The humanitarian principles of humanity, neutrality, impartiality and independence remain the cornerstones for the provision of humanitarian assistance, which has to be needs-based. That is what makes humanitarian assistance unique and is something we as humanitarian actors are committed to. The European Union is an active proponent of international humanitarian law, human rights and refugee law, including the protection of civilians and humanitarian personnel.

The primary responsibility for the protection of civilians rests with national Governments. In that regard, we also recall the World Summit outcome of last year on the responsibility to protect. Based on that responsibility of national Governments, the European Union wishes to strongly urge all Governments and parties to conflict to ensure safe and unimpeded access to humanitarian assistance and the protection of affected populations. The protection and security of staff, both in the field and at Headquarters, is of utmost importance. Attacks on humanitarian personnel cannot, under any circumstances, be tolerated. The European Union strongly condemns all threats and acts of violence against humanitarian personnel and United Nations and associated personnel.

The EU calls for an immediate end to all violence, including sexual and gender-based violence. Effective measures for prevention, as well as for the protection of and support for victims of gender-based violence, must be put in place by Member States. That should include the development and effective implementation of necessary legislation, standards, policies and resources at all levels.

Bringing perpetrators to justice is vital. The EU affirms once again the need to hold accountable those responsible for illegal acts and strongly urges all States to take stronger action to end impunity, including by ensuring that any such acts committed on their territory be investigated fully and that those responsible be brought to justice without delay. The EU strongly supports the International Criminal Court (ICC) and calls upon all States that are not yet party to the Rome Statute of the ICC to ratify or accede to it without delay.

The EU finds it encouraging that the number of refugees throughout the world continues to decrease, but recognizes that refugee situations have become more complex and protracted and that the number of internally displaced persons has grown. The protection of and assistance to internally displaced persons should be comprehensively strengthened. The EU welcomes the new role of the United Nations High Commissioner for Refugees as a cluster lead in the clusters of camp coordination and camp management, protection and emergency shelter in conflict-related internal displacement situations, and looks forward to achieving further clarity in the system-wide response to the issue of internally displaced persons.

The humanitarian coordinator/resident coordinator system is key to a successfully coordinated humanitarian response at the country level. The EU welcomes the improvements already made, including reinforced training programmes and the establishment of a pool of humanitarian coordinators. The recently launched cluster leadership approach is equally important, as it strengthens coordination by more systematically identifying roles and responsibilities within the United Nations system. That facilitates strengthened leadership, coordination, strategic planning and the identification of needs and response gaps. The cluster approach should be an inclusive process involving all humanitarian actors in order to increase efficiency at the field level. The EU looks forward to further efforts in that regard, including the strengthening of surge capacity.

The EU welcomes efforts to develop and improve stand-by capacities for humanitarian assistance. In our view, that could include more permanent arrangements with member States and with regional organizations. Local capacity is particularly important in sudden-onset disasters.

Recognizing the benefits of effective engagement and coordination of relevant humanitarian actors, the EU continues to support and further encourages strong partnerships with local actors, non-governmental organizations and civil society, including the Red Cross and Red Crescent Movement.

Humanitarian perspectives should be taken into account in political, security and peacekeeping operations, bearing in mind the importance of preserving humanitarian space in integrated missions. The EU believes that the Peacebuilding Commission can further contribute to a coordinated response of the United Nations to States emerging from conflict. The first country-specific meetings held in October on Sierra Leone and Burundi represented an encouraging start.

The predictability, timeliness and equity of humanitarian funding needs to be improved, as some emergencies remain chronically underfunded or even neglected. In that regard, the establishment of the Central Emergency Response Fund (CERF) constitutes a major improvement. The report of the Secretary-General indicates that CERF has contributed to the timeliness of response and towards improved coordination, in particular at the country level. It has also contributed to a more equitable distribution of aid, addressing core needs in underfunded emergencies, particularly in Africa. The States members of the EU have so far contributed over $180 million to CERF, and additional pledges have been made.

The European Union remains committed to the Good Humanitarian Donorship initiative and encourages the efforts of all donors to implement the principles rigorously. Effective coordination among donors themselves would contribute to a more coherent response and to a decrease in unnecessary and overlapping actions by donors.

The EU recalls the need for reliable, accurate and timely needs assessments and multi-agency lessons-

learned processes. Efforts to further improve the quality and inclusiveness of the consolidated appeals process should continue.

Natural disasters are on the increase and have a debilitating impact, particularly on low-income populations. We fully agree with the Secretary-General that prevention is better than cure. Additional investments are needed for disaster risk reduction to proceed from merely reacting to disasters with relief efforts to actually building resilience. Donors and hazard-affected countries need to invest more in disaster mitigation and preparedness measures, including, in particular, national-level and local capabilities, which includes the idea of saving not only lives, but also assets and livelihoods. Disaster risk reduction efforts should be integrated into sustainable development and poverty reduction strategies. Close cooperation of States Members of the United Nations, in particular the United Nations Development Programme (UNDP) and the International Strategy for Disaster Reduction, as well as the international financial institutions, is crucial in building long-term resilience and implementing the priorities set out in the Hyogo Framework for Action.

It is a great challenge to find ways to turn the tragic events of natural disasters and conflicts into an opportunity for long-term development and settlement. The United Nations system needs to give more attention to bridging the existing gaps in addressing situations of transition from relief to development. The European Union welcomes the designation of UNDP to lead in the early recovery cluster within the cluster leadership framework.

Successful transition can be achieved only if there is a strong commitment to ensuring that all members of society are able to play an active role in the process. Achieving sustainable development will not be possible without the full involvement of women. The EU wishes to underline that gender and age should be included in strategies for emergency response and reconstruction programmes as cross-cutting issues from the earliest stages.

Finally, the EU wishes to pay tribute to Mr. Jan Egeland for his untiring efforts in recent years in the humanitarian area. We would like to take this opportunity to reaffirm our strong support for him and his team at the United Nations Office for the Coordination of Humanitarian Affairs in their important work. The European Union remains committed to contributing towards a more coordinated and effective humanitarian response.

Ms. Rouse (Grenada): I have the honour to speak, on behalf of the States members of the Caribbean Community (CARICOM) that are Members of the United Nations, on agenda item 69, "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", and its sub-item (a), "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

We welcome the Secretary-General's reports on those agenda items and wish to take this opportunity to congratulate the Emergency Relief Coordinator and his staff for their hard work and dedication in facing the challenges presented during this past year.

Reports of an upward trend in disasters, with vastly devastating effects, and the probability that this trend will continue as vulnerabilities increase are disconcerting. Even more worrisome in that context to the CARICOM member States is the reported growing frequency and severity of hydro-meteorological hazards.

Addressing the complexities of disasters and ending the cycles of vulnerabilities necessitate an integrated approach to disaster management that would include, as indicated in the Secretary-General's report contained in document A/61/85, disaster planning and preparedness, sustained assistance for post-disaster recovery and reconstruction, and the prioritization of risk reduction as a matter of urgency.

Towards that end, the World Summit Outcome set forth three broad areas to improve the United Nations humanitarian system. Without prejudice to the importance of progress at an even pace in all three areas, CARICOM has particular interest in the improvement of facilities for rapid access to funds in the initial phases of a humanitarian emergency and for ensuring equitable response to neglected emergencies or otherwise chronically underfunded emergencies.

As small island developing States with particular vulnerabilities to hurricanes, floods and earthquakes, our development itself is dependent upon the frequency and magnitude of such weather events. Yet international response to disasters that struck Grenada,

Guyana, Haiti and Jamaica, to name a few, in the more recent past has been inadequate. It was therefore in that context that we welcomed the launching of the Central Emergency Response Fund (CERF) on 9 March as a means to ensure a more predictable and timely response to humanitarian emergencies and recognized the innovative grant element in the improved Fund.

CARICOM is pleased with the application of the Fund during the first six months since its launching. We note in particular the immediate disbursement of funds based on appeals for rapid response for situations in Africa, as well as the allocation of funds in underfunded crises.

In order to ensure that CERF remains an effective funding tool, its funds must be replenished. In that regard, CARICOM member States urge the transformation of pledges into firm funding commitments.

Secondly, it is important to recall the purpose of CERF as a mechanism of last resort and the complementary role it plays to humanitarian appeals mechanisms and emergency funds by individual agencies. In that regard, CARICOM notes that the Fund has been able to complement other humanitarian funding arrangements, especially with assistance to the World Food Programme, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration, the Food and Agriculture Organization of the United Nations, the United Nations Children's Fund, the World Health Organization, the United Nations Population Fund and other entities in filling unmet needs and supporting life-saving programmes. Consequently, in light of the role of the Fund, as stated in the report of the Secretary-General, donor funding to CERF must be additional to donors' response to emergency funds and to appeals from agencies.

CARICOM member States take this opportunity to recall the important function of the Advisory Group, as established pursuant to resolution 60/124, to provide advice to the Secretary-General on the use and impact of the Central Emergency Response Fund. We commend the Advisory Group's work thus far and note its report of 12 October 2006 on the use and management of CERF. CARICOM also endorses the Advisory Group's recommendation that Member States make every effort to achieve as soon as possible the $500-million target established by the General Assembly and welcomes the advocacy role the Group intends to undertake for the early attainment of that target. CARICOM further encourages the highest level of participation, as possible, at the forthcoming donor conference for the Fund on 7 December.

In 1991, CARICOM member States established a disaster management programme to coordinate disaster response and management at the regional level. The functions of the Caribbean Disaster Emergency Response Agency (CDERA) include providing information to interested organizations on disasters affecting the region; disaster mitigation; establishing and maintaining, on a sustainable basis, adequate disaster response capabilities among CARICOM States; and mobilizing and coordinating disaster relief.

CARICOM member States appreciate the ongoing support of the international community with respect to disaster mitigation. We make particular mention of the recent donation by the Government of Turkey that regional initiative in the sum of $400,000 to CDERA for the support of the wider Comprehensive Disaster Management (CDM) programme in the region. That donation was timely, as it brought flexibility to supporting gaps in CDM resources and will be utilized to support country programming, among other activities.

We also welcome the conclusion of a Financing Agreement for Institutional Support and Capacity Building for Disaster Management in the Caribbean between the European Union and the Caribbean Forum. The €3.4 million project is intended to strengthen and increase CDERA'S effectiveness and to improve its coordination within the region; review and revise existing disaster management legislation with a view to establishing appropriate legislation where needed; set up and support national awareness and management campaigns in collaboration with government agencies, non-governmental organizations and other parties working in that area; and increase the use of information and communications technologies for emergency planning, thereby making the comprehensive disaster management programme more effective and its capacity enhanced for management and related teaching and research through exchange studies and other research in that field.

CARICOM believes that the assistance rendered by the Financing Agreement will doubtless serve not only to strengthen CDERA, and by extension the

human resource capacity of the region, but even more to underwrite our economic and social development.

CARICOM is well aware that the future success of the Fund is dependent on the will and support of Member States in increasing their contributions in order to meet the three-year target of $500 million endorsed by the General Assembly. As the theme for the sixty-first session — "Implementing a global partnership for development" — reminds us, we must all work together and support each other in all areas possible.

Mr. Nikitov (Ukraine): I have the honour to speak on behalf of the States members of the Organization for Democracy and Economic Development (GUAM), namely, Azerbaijan, Georgia, Moldova and Ukraine.

At the outset, we would like to thank the Secretariat for the report submitted under agenda item 69.

The past year was marked by a continuing rise in the number of large-scale disasters and affected populations. Recent humanitarian crises have demonstrated the overall capability of the humanitarian community to launch a massive response when called upon. However, it is quite obvious that the quality of such a response still needs further improvement. Humanitarian response does not always meet the basic needs of affected populations in a timely way; it varies considerably from crisis to crisis, and current capacity levels are not always sufficient to meet the demands of major emergencies occurring at the same time. While some of the factors affecting response are specific to individual crises, some of the key challenges seem to be systematic in nature.

The GUAM States believe that the further strengthening of the current international humanitarian response system and improving the coordination of humanitarian assistance, sustained and unhindered humanitarian access, as well as flexible and predictable emergency funding, are key issues.

At the national level, institutional capacity-building and support for national efforts in strengthening humanitarian response capacities, including through sharing best practices and expertise and establishing national contingency plans, are critical for proper disaster preparedness and response.

Better coordination by the United Nations of international efforts on the ground is needed in order to avoid unnecessary duplication and to increase the efficiency of the Organization. The humanitarian skills and capabilities of both humanitarian and resident coordinators in countries at risk of natural disasters and humanitarian emergencies should be further developed and upgraded.

Humanitarian assistance and funding should not be limited to providing immediate response to crises, but must take into account long-term needs in the transition phase. The capacity gaps of the United Nations coordination mechanisms in the transition space have to be adequately addressed to ensure efficient response to transition needs.

We therefore welcome the continued efforts of the United Nations humanitarian system to further improve and strengthen the coordination of humanitarian response. We believe that the cluster leadership approach is a step forward towards improving predictability, accountability and the effectiveness of humanitarian response. The timely and predictable funding of cluster-related activities at both the global and country levels is critical to the effectiveness of that approach.

Looking back at the developments of the past year, one should recognize the persistence of serious humanitarian challenges. Restricted humanitarian access, non-compliance with international humanitarian law and humanitarian principles, and continued attacks on humanitarian workers can be mentioned once again in that regard, but it is more disturbing that such humanitarian concerns as the spread of HIV/AIDS, sexual exploitation and the abuse of civilians in humanitarian crises have loomed large.

The GUAM States are concerned by the alarming spread of the HIV/AIDS epidemic in humanitarian crises, which further amplifies the suffering of civilian populations. It is particularly discouraging that, coupled with famine and natural disasters, HIV/AIDS is driving ever-larger sectors of nations towards destitution. Efforts to address the problem could be more successful if reinforced by concrete action on the part of Member States, particularly through the development of national strategies that address the spread of HIV among humanitarian workers and international peacekeepers.

Speaking on the transition from relief to development, we cannot but refer to the consequences of the Chernobyl disaster. Now, 20 years after the tragic accident, the impact of that catastrophe on the lives of millions of affected people continues to pose an enormous challenge in the region.

We attach special significance to the role of the United Nations in strengthening the international response to the consequences of the Chernobyl catastrophe. We thank the delegations that took part in a special plenary meeting in spring this year in the framework of the sixtieth session of the General Assembly to honour the victims of the Chernobyl disaster and to raise public awareness about the long-term consequences of the Chernobyl catastrophe. We appreciate the contribution made by all Member States and organizations of the United Nations system, as well as representatives of civil society, the private sector and the donor community to the development of cooperation to mitigate and minimize the consequences of the Chernobyl disaster.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): It gives me pleasure to extend to you, Madam, and to the members of the Bureau, sincere gratitude and appreciation for your efforts in guiding our work at this meeting. I would also like to express our appreciation to the Secretary-General for his important reports under this agenda item.

The loss of life and the destruction caused by natural disasters and conflicts during the past few years, in both developing and developed countries, and the universally sympathetic response and provision of assistance to those countries, confirm, beyond any doubt, the need for effective international solidarity and cooperation in confronting the aftermath of disasters and containing their destructive effects, as well as in alleviating the suffering of the affected persons and assisting them in resuming their normal lives as soon as possible. In this context, the United Arab Emirates emphasizes the central role of the United Nations in the strengthening of the coordination of long-term humanitarian and disaster relief assistance. We greatly value the efforts made by the Organization and all those working in the field of humanitarian assistance and relief.

In this regard, we would like to reaffirm the importance of implementing the recommendations of international conferences on the coordination of international efforts to elaborate an international strategy to deal with natural disasters at every stage, from early warning to relief assistance, rebuilding and development, as well as to adopt appropriate measures to assist poor countries in building their national capacities to deal with natural disasters and the consequences of war.

The United Arab Emirates is one of the largest contributors in the field of humanitarian and relief assistance in emergencies, as well as in terms of long-term assistance in all areas of the world. It provides assistance through donations, in cash and in kind, most of which goes to the affected countries through direct bilateral arrangements between them and the United Arab Emirates. The United Arab Emirates also fulfils its financial commitments to the United Nations bodies concerned with humanitarian and relief assistance and development activities, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Office of the High Commissioner for Refugees, the International Committee of the Red Cross and other development bodies of the Organization. The United Arab Emirates has pledged to give $1.038 million to those bodies in 2007.

In May 2006, in order to support the coordination of international efforts in this field, the United Arab Emirates joined the donor partnership group and the donor support group within the Office for the Coordination of Humanitarian Affairs, whose membership comprises the most active donor countries in the humanitarian field.

In support of international efforts to respond to natural disasters, the United Arab Emirates established Dubai Humanitarian City to provide facilities and integrated services to national and international humanitarian organizations. It has always attached great importance to enhancing the capabilities of affected countries to respond effectively to disasters and to supporting their efforts, including research, aimed at enhancing their ability to predict natural disasters and contain their consequences, while strengthening the infrastructure of those countries.

To reduce the harmful effects of climate change on the environment around the world, the United Arab Emirates has ratified the Kyoto Protocol to limit global warming and greenhouse emissions. We have also ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances

That Deplete the Ozone Layer. The United Arab Emirates has adopted a national strategy to implement those instruments.

During the period 2004-2006, the Government of the United Arab Emirates, working with the Emirates Red Crescent Authority, contributed about $775 million to support and enhance international efforts to assist tsunami victims, as well as the victims of the earthquake that hit Pakistan and southern India, Hurricane Katrina, which struck the United States of America, and the earthquake that took place in Indonesia in May, 2006. Part of those donations were also provided for the reconstruction of countries affected by conflict, including Afghanistan, Iraq, Bosnia and Herzegovina and Lebanon. By September 2006, the Red Crescent Authority of the United Arab Emirates had spent more than $275 million on humanitarian and relief projects in 100 countries throughout the world. In September 2006, the United Arab Emirates pledged to resume the Emirates Solidarity Project for demining in southern Lebanon.

The United Arab Emirates attaches great importance to supporting and assisting the Palestinian people and Government and to alleviating the suffering of the people during the humanitarian crisis caused by the brutal assault on them by the Israeli occupation forces. United Arab Emirates donations to the Palestinians in the period 2000-2005 amounted to $829 million. Those funds are in addition to other humanitarian assistance provided through the relevant United Nations agencies to meet their immediate livelihood needs and to rebuild the cities destroyed by the savage Israeli assault.

Furthermore, in July 2005 the United Arab Emirates allocated $100 million to construct the city of Khalifa bin Zayed on the ruins of the evacuated Israeli settlements in Gaza. Relief and services projects in Palestine carried out by the United Arab Emirates Red Crescent Authority have exceeded $122 millions dollars, in addition to other assistance in kind.

The United Arab Emirates is deeply concerned about the deteriorating humanitarian conditions of the Palestinian people in the occupied Palestinian territories resulting from the economic, political and military blockade imposed by the Israeli occupying forces — a blockade that has denied people access to humanitarian and economic assistance. The massacres, the collective punishment, the incursions into cities and villages, the confiscation of farmland and water resources, the destruction of property and the construction of the expansionist separation wall, have all led to the death and disabling of thousands of civilians and to the internal displacement of thousands more. Huge losses have been inflicted on the economy, as a result of which more than two thirds of the people now live below the poverty line, while half of the children suffer from diseases related to malnutrition. This situation is in danger of developing into a serious humanitarian disaster.

We call upon the United Nations, especially the Security Council, to fulfil its responsibility for the protection of the Palestinian people and to compel Israel, the occupying Power, to stop its acts of aggression and its other crimes immediately; to lift its blockade of the occupied Palestinian territories; and to halt the construction of the illegal expansionist wall and dismantle those parts that have already been constructed, in compliance with the international legality and the principles of international humanitarian law. Further, it should resume the peace negotiations on the basis of the relevant international resolutions and the Arab Peace Initiative adopted at the Beirut Summit.

Mr. Wali (Nigeria), Vice-President, took the Chair.

We further emphasize the need for UNRWA to continue to discharge its responsibility to provide services to refugees in all of its areas of operation and the need to continue financial support for the regular and urgent activities and programmes of the Agency. We further urge donor countries to resume their assistance to the Palestinian people and Government in order to alleviate their suffering until an end is put to the Israeli occupation of their land and until the establishment of an independent State of Palestine, with Al-Quds Al-Sharif as its capital.

Mr. Sen (India): We would like to thank the Secretary-General for the reports that have been prepared for the discussions under this agenda item. We also thank the Under-Secretary-General, Mr. Jan Egeland, for the introduction of the reports. We appreciate the candid approach adopted in the report that identifies areas for improvement even as it describes positive developments.

The Central Emergency Response Fund (CERF) was launched in March this year to address the concern

regarding the allocation and availability of resources for humanitarian assistance and to enable the United Nations to provide timely humanitarian assistance evenly across emergencies. India strongly supported that initiative out of its conviction that through this reform measure, the United Nations would be better positioned to assist developing countries in their hour of need in the aftermath of a disaster. India demonstrated solidarity with the international efforts aimed at addressing the needs of developing countries for emergency humanitarian assistance through pledging a contribution of $2 million to CERF at its launch in New York, half of which has already been disbursed.

As promised by the Secretary-General, detailed information on the use of CERF has been provided to Member States. The report indicates that CERF has made good progress towards its objectives of promoting early action and response to reduce loss of life and of enhancing United Nations humanitarian assistance to time-critical needs in the aftermath of disasters and in underfunded emergencies.

We note that the Emergency Relief Coordinator has focused on the need for the timely allocation and disbursement of CERF funds. We also note with satisfaction that despite the fact that its implementation is at an early stage, CERF has enabled humanitarian assistance to be made available within 72 hours. We encourage the Emergency Relief Coordinator to continue efforts to address administrative delays and streamline application processes. While appreciating the need for completing the requisite paperwork prior to disbursement of funds, there is a need for balance so that developing countries are not burdened by excessive paper work at a time when the capacities of their authorities are stretched in coping with the aftermath of a disaster.

We have perused with interest the note on the meeting of the CERF Advisory Group held in Geneva in October 2006. We note that the Advisory Group made some substantive recommendations for further improvements, such as through the consideration of an umbrella letter of understanding, delegation of authority and development of additional standardized templates. The Advisory Group also emphasized the importance of a field-driven approach. We would suggest that the recommendations of the Advisory Group, including those related to the decision to undertake field visits to implementation sites, be examined by the Emergency Relief Coordinator and his recommendations brought to the Member States for their consideration.

India is committed to the Guiding Principles for the provision of humanitarian assistance contained in the annex to resolution 46/182. We believe that humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality. We recall that the Guiding Principles enjoin that sovereignty, territorial integrity and national unity of States must be fully respected and that humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country.

In that context, we are concerned at the recommendations of the report on humanitarian access, which are not in line with the scope of the Guiding Principles of resolution 46/182. We have been encouraged by the achievements that the United Nations has made through the establishment of CERF. Those gains can be consolidated and built upon by retaining the neutrality and non-political character of humanitarian assistance. The International Committee of the Red Cross commentary on the Fourth Geneva Convention describes "humanitarian" as "being concerned with the condition of man considered solely as a human being, regardless of his value as a military, political, professional or other unit" and "not ... affected by any political or military consideration".

Country ownership is crucial, and this should be genuine and not disingenuous. Humanitarian assistance is aimed at relieving immediate suffering only, and therefore ensuring all of this should be relatively easier.

The report appears to project the Guiding Principles on Internal Displacement as standards for countries to follow. The Guiding Principles were developed on the basis of experience of massive displacement in war and conflict situations. The Secretary-General's reports in the past have acknowledged that adequately assisting internally displaced persons (IDPs) requires knowledge and understanding of the specific context in which the disaster occurred. India believes that well-functioning and stable Governments with strong national and legal institutions can and do take care of their IDPs. They are also best placed to understand their own national context and legislative requirements.

The report recommends the strengthening of local, national and regional capacities for preparing for and responding to humanitarian emergencies. India has strengthened its disaster preparedness and response capacity over the past several years. The aftermath of the tsunami disaster further spurred those efforts. The Disaster Management Act 2005 envisages a holistic and comprehensive approach to disaster management with a greater focus on prevention, mitigation, preparedness and capacity-building. The National Disaster Management Authority (NDMA), chaired by the Prime Minister, has been created with a provision for similar organizational arrangements at the state and district levels. Some states have already taken action in that regard.

The NDMA has formed core groups to formulate strategy and guidelines to mitigate the effects of disasters such as earthquakes, cyclones, floods, and chemical and industrial disasters. The Disaster Risk Management Project is being implemented jointly with the United Nations Development Programme (UNDP) in 169 districts with high vulnerability to natural disasters and includes the important elements of community preparedness and community capacity-building. The process of the creation of disaster-response teams for providing a specialized response has started, and equipment and training needs are being considered.

The political economy of humanitarian assistance is, of course, broader, touching on ethical issues such as the principle of negative action, which states that not doing enough and letting death and disaster happen is as bad as actually inflicting death and disaster, and economic development, because it is the poor that often bear the brunt of natural disasters, science and technology.

In India, satellite-based early-warning systems have greatly mitigated, if not eliminated, the consequences of cyclones, and we hope they will do the same in connection with any future tsunamis. We have always been prepared to share that technology with developing countries.

We note that, as desired by Member States, the report recommends other areas for improving the delivery of United Nations humanitarian assistance, including through the improvement of United Nations coordination activities at the field level. The report cites the cluster leadership approach as an effort in that direction and recommends that at the country level, cluster lead agencies should collaborate closely with Government partners. We believe that there is a need for further information on and an understanding of this approach, especially from the perspective of the receiving countries where this approach has been implemented so far.

In keeping with the basic principles that guide the work of the United Nations at the country level, we recommend that this approach be implemented at the country level with the consent and under the leadership of the national Government of the affected State. An evaluation of the effectiveness of the cluster approach in enhancing coordination among United Nations agencies, taking into account the financial costs incurred in implementing the approach and incorporating the inputs of the affected States, should be presented to Member States. We agree with the Secretary-General that the cluster approach can be considered only as a first step and not as a solution.

We are happy that the report has devoted considerable attention to the issue of chronically underfunded emergencies. We note that the report recommends the development of indicators for humanitarian assistance. We recommend that the issue be discussed carefully at the intergovernmental level, in the first instance.

Mr. Shinyo (Japan): First of all, Japan welcomes the ongoing efforts to achieve reform in the humanitarian sector, which will make for more effective provision of humanitarian assistance and protection of those in need. We commend Under-Secretary-General Egeland and the Office for the Coordination of Humanitarian Affairs (OCHA) for the work they have done, together with other humanitarian partners, to improve the predictability and effectiveness of humanitarian activities. Japan, together with the rest of the international community, will continue to do its utmost to promote humanitarian reform.

We welcome the establishment of the Central Emergency Response Fund and also the positive and concrete results of its efforts to realize the objectives described in the resolution of the General Assembly last year. Enlargement of the donor base is another positive outcome since the establishment of the Fund. For example, the Government of Hyogo prefecture in Japan has committed itself to contributing 100 million

yen to the Fund. Outreach to local governments and civil society leads to enhancement of capacity to deal with humanitarian issues. The Government of Japan, therefore, will continue to support such efforts.

It is essential to properly review the Central Emergency Response Fund in order to help it to respond to humanitarian crises more effectively. We need to do so in a more comprehensive and systematic manner, including by examining the challenges and problems the Fund faces. For example, what contribution does the Fund make towards reinforcing the existing process of providing humanitarian assistance, involving, as it does, instruments such as the Consolidated Appeal Process and flash appeals? We also need to clarify the criteria for resource allocation, especially in an underfunded emergency window.

One of the challenges the Fund faces, as clearly described in the report of the Secretary-General, is the improvement of the speed with which it makes disbursements, so that the Fund can become an effective mechanism for providing assistance in emergencies. Japan wishes to join in any constructive efforts to achieve that goal.

We would like to express our support for the cluster approach, one of the pillars of humanitarian reform. It is a useful method for strengthening response capacity, increasing the effectiveness of multilateral humanitarian assistance and improving coordination. Although there is much to be done, we are glad to hear from many in the field that the approach has worked, in the follow-up to the earthquake in Pakistan and in other humanitarian crises.

The cluster approach is also useful in addressing the issue of internally displaced persons, as long as there is no international organization with a clear mandate to deal with this problem. Here again, we would appreciate a comprehensive assessment of the effectiveness and challenges of the cluster approach to be followed. We need consultation and information exchange on the ground between all relevant humanitarian actors, on the one hand, and strong leadership to implement this approach effectively, on the other. This is also a reason why Japan supports OCHA's ongoing efforts to strengthen the role and function of humanitarian coordinators. We believe that decentralization of authority, to be achieved by giving humanitarian coordinators stronger mandates, should be explored in this context.

Disaster reduction is an essential pillar of sustainable development and is, therefore, one of the issues that is vitally important for the United Nations to address. Even in the short time that has passed since the World Conference on Disaster Reduction was held in Kobe in January 2005, massive disasters have struck in many places, including Pakistan, the Philippines and Java in Indonesia, demonstrating the urgent need to implement the Hyogo Framework for Action.

The new facility launched by the World Bank on disaster reduction will certainly facilitate implementation of the Hyogo Framework, and we therefore welcome it. We strongly believe that the Hyogo Framework will be even more fully implemented once components of International Strategy for Disaster Reduction (ISDR) become stronger. We support the clear recommendation in the recent report of the Secretary-General's High-Level Panel, entitled "Delivering as One", that the United Nations' efforts on risk reduction need to be urgently enhanced, through full implementation and funding of international agreements and other recent initiatives and the involvement of communities.

As a nation with extensive knowledge and technology relating to disaster reduction, Japan wishes to be actively involved in achieving a strengthened ISDR, and we intend to make contributions to the deliberations of its Programme Advisory Committee. Japan will share the experience, expertise and knowledge it has accumulated in Kobe, where there are many organizations specializing in disaster-related activities and working with countries in Asia and beyond.

We commend humanitarian personnel for carrying out their difficult responsibilities under often severe crisis conditions. We must do everything we can to ensure the safety of these individuals. We also wish to underline the importance of ensuring unhindered access to affected people for the purpose of providing them with assistance. In order to assist people in need, Japan, in conjunction with the rest of the international community, will continue to join actively in efforts to strengthen coordination of humanitarian and disaster relief assistance.

Mr. Chulkov (Russian Federation) (*spoke in Russian*): This year has been very important for the international humanitarian community. The international community has shown its resolve to

improve the global mechanism of humanitarian response and bring it to a qualitatively new level of operation. We are glad that this work, as can be seen from the report of the Secretary-General, yielded the desired results. In this context, we wish to point to the role of the Secretariat, in particular the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), headed by its leader, Mr. Egeland.

Through joint efforts, member countries succeeded in reinforcing our disaster response capacity. We have reinforced the mechanism of humanitarian coordination, first of all, in the field. In our view, the assignment of the relevant authority to the United Nations resident humanitarian coordinator to coordinate the activities of the United Nations humanitarian agencies in the field is consistent with the task of achieving a more adequate humanitarian response. However, we also believe that the United Nations country teams should maintain close partnership with host Governments, especially because Governments have the responsibility, first and foremost, to take care of their citizens, including those in need, and have the primary role in establishing priorities in humanitarian response strategies.

The so-called cluster approach is an important element of improving the mechanism of response in the field. We should apply it carefully, taking into account local specifics and circumstances without automatic extension to other countries. The Secretariat has to consider the fact that its mandate in this area, given to it by the Member States, is to fill the gaps rather than clusterization in all areas.

We closely follow the establishment of the United Nations multidimensional integrated peacekeeping operations with humanitarian components. We support the Secretariat in its effort to preserve and defend the humanitarian space.

The qualitative improvement of the international humanitarian response resulted also in the creation of the Central Emergency Response Fund. We share the positive assessment by the Secretary-General of the first months of its work. We are satisfied by the way the reporting on fund expenditures is organized, which ensures transparency in its operation. We are looking forward to an independent biennial report on its work.

We have taken note of the Fund Advisory Group's recommendations on potential Fund allocations to support disaster reduction activities. We are not convinced that this approach is right, especially taking into account the existence and operation of a separate United Nations Trust Fund for Disaster Relief Assistance.

The international humanitarian response mechanism cannot be regarded as static even after such large-scale improvements. Statistical data show an increase in the frequency and gravity of large-scale natural and man-made disasters in the world with ever-greater consequences. This means that we should continue our efforts to maintain this mechanism at the appropriate level.

We continue to assign the key role in these efforts to the United Nations and its Office for the Coordination of Humanitarian Affairs (OCHA). We believe that OCHA should continue to pay priority attention to the fundamental principles of the provision of humanitarian assistance — humanity, neutrality and impartiality, as well as the independence of humanitarian agencies. Moreover, none of these principles should prevail over others. On the contrary, only the comprehensive and consistent implementation of these principles in humanitarian activities can bring about, in our view, the best possible results in providing assistance to those in need.

At present, it is increasingly evident that we need to be able to forecast disaster emergencies and prepare in advance. We support the measures to strengthen the mechanisms of planning and preparedness for emergencies triggered by disasters. It is necessary to build up the national systems of early warning, damage assessment and disaster mitigation, as well as increase international cooperation in this field. We assign the key role in this area to the International Strategy for Disaster Reduction. We believe it is necessary to intensify international cooperation so as to achieve the objectives of the Strategy and the final documents of the World Conference on Disaster Reduction in Kobe.

In conclusion, to pursue a point that my colleague from Ukraine was making, this year is a significant one for the peoples of Russia, Belarus and Ukraine. Last April we marked the twentieth anniversary of the tragic accident at the Chernobyl nuclear power plant, which was the largest man-made catastrophe in terms of its scope, complexity and consequences. On 28 April 2006, the United Nations General Assembly held a Special Commemorative Meeting in observance of this tragic date. This significant event in the history of the

United Nations marked a new stage in the development of international cooperation on Chernobyl, in the strengthening of which the United Nations should continue to play a particularly catalytic and coordinating role. We express our deep gratitude to all Member States for their solidarity; we regard it as a token of successful cooperation in this area for the future.

Mr. Maurer (Switzerland) (*spoke in French*): Switzerland attaches great importance to the intergovernmental discussions and negotiations on the strengthening of the coordination of United Nations humanitarian aid in the framework of the General Assembly.

For several years now Switzerland has advocated greater complementarity between this work and that of the humanitarian segment of the Economic and Social Council substantive session. At this stage, we believe that positive results have been achieved, which is encouraging for the future efforts in this area. We invite Member States to pursue, with the support of the Secretariat, the discussions aimed at reallocating the humanitarian issues dealt with by the General Assembly.

Switzerland is pleased with the improvements to the emergency response capacity of the United Nations system and with the fact that increased attention is now being paid to international humanitarian coordination. For Switzerland, each key component of the international humanitarian system — the United Nations, the International Red Cross and Red Crescent Movement and non-governmental organizations (NGOs) — contributes to the common goal of saving lives and of alleviating suffering when it has not been possible to prevent it. We call for greater cooperation between humanitarian actors in order to increase effectiveness.

At the same time we wish to stress that humanitarian action must be based on realistic assessments of the needs for protection and assistance of all the persons affected — without any distinction and in accordance with humanitarian principles — as well as on the known capacity of all the national and international actors on the ground. We would like to reiterate that the primary responsibility for protecting and assisting internally displaced persons lies with the Governments concerned, which can refer to the Guiding Principles on Internal Displacement. The relevance of these principles was reaffirmed by the heads of State and Government at the 2005 World Summit.

Switzerland stresses the primacy of civil organizations in the implementation of humanitarian aid, in particular in zones affected by conflicts. We invite Member States to make use of the existing instruments governing civil-military cooperation in crisis situations. We thank the Norwegian Government for taking the initiative, in collaboration with the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), to call a high-level meeting on 27 November 2006 in Oslo, to advocate for the effective implementation of the 1994 Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief, which have now been updated.

As the Secretary-General rightly underlines in his report, preparedness capacities for natural disasters must be strengthened, both at the community level in collaboration with all parties concerned and at the national, regional and international levels, in accordance with the Hyogo Framework for Action. Switzerland is pleased with the efforts initiated by the Secretariat, with the support of partner organizations of the Inter-Agency Standing Committee, to strengthen, for the long term, the humanitarian coordinator system, which is the cornerstone of increased United Nations effectiveness and credibility at the field level.

Lastly, with regard to the gender dimension in emergency situations, we are pleased to note the forthcoming publication of the Inter-Agency Standing Committee gender handbook.

Mr. Miller (United States of America): There has been much activity and much progress in the realm of humanitarian reform this year, in particular through the refinement and implementation of the cluster approach, the further strengthening of the humanitarian coordinator system and the establishment of the expanded Central Emergency Response Fund (CERF).

The United States supports the cluster approach, which strengthens United Nations leadership through the formal assignment of coordination roles for humanitarian activity. That approach has helped to address some critical and long-standing gaps in coordination. We would like to stress the importance of broad participation and inclusiveness in the cluster system. We hope that non-governmental organizations (NGOs), international organizations, donors and host

Governments will all be welcome at the coordination table. We hope that ongoing intergovernmental discussion can help clarify the value of the cluster approach, which can, if implemented thoughtfully, enhance humanitarian services by instituting both predictability and accountability.

Protracted civil conflicts continue to create some of the largest situations of forced displacement in our era. One of the most significant and long-standing gaps in humanitarian response concerns the protection of internally displaced persons (IDPs). The cluster lead initiative aims to address the United Nations role in that regard, most significantly by assigning an overall IDP protection role to the Office of the United Nations High Commissioner for Refugees (UNHCR). The United States supports that new role.

Another important pillar of the reform effort involves the selection and training of humanitarian coordinators. This is a critical element for strengthening the United Nations humanitarian system, and it has received insufficient attention. We recognize that it is a complicated issue involving a range of United Nations agencies, but we encourage the Emergency Relief Coordinator to continue to work for substantial improvements in this area.

The United States also understands the critical need for the efficient deployment of humanitarian personnel in response to crises, and we therefore agree in principle with the recommendation to establish more effective standby arrangements. We look forward to more details regarding the proposed method to enhance standby capacities. We are willing to share our experience in this area with the United Nations system and with other Member States.

There is no doubt that the expanded CERF is an effective tool for rapid response to humanitarian emergencies, and that the Fund provides a valuable avenue for the participation of additional donors. We are less sure about CERF's value in addressing underfunded emergencies. We need clearer definitions and the development of criteria to govern disbursements in that area. An allocation system based on the percentages of funding received for each United Nations appeal is inadequate. Not all appeals fully reflect the range of humanitarian activity, and some are not limited to emergency response. While it may be interesting to make a comparison of needs across humanitarian crises, we must not neglect the range of complex issues that impact vulnerability.

The United States is also concerned about discussions that cite a need for greater equity of resources as a goal of humanitarian assistance. That contradicts the fundamental premise that humanitarian action is based on need. We support the strengthening and standardizing of methodologies to assess humanitarian needs, but we caution against attempting to compare needs and vulnerability across crises. It is widely accepted in the humanitarian community that it is not appropriate to establish universal standards of vulnerability. It is also important to clarify that standards of delivery, such as those established by the Sphere Project, are not necessarily linked to resource allocation. The cost of aid in one context cannot be compared to another without a complete analysis of a wide range of factors.

The capacity of the United Nations and other humanitarian actors on the ground to conduct sound analysis and to effectively deliver humanitarian assistance is critical to success. However, without full and unhindered access for humanitarian actors, even the most robust response efforts will fail to meet emergency needs. Deliberate attacks on humanitarian workers have become a significant impediment to life-saving aid in many crises. We must work to guarantee the safety and security of relief workers.

In conclusion, I want to reaffirm the strong support of the United States for the core humanitarian principles of humanity, neutrality, impartiality and independence. These provide a foundation for international humanitarian work, and must continue to guide our efforts, especially as we strive to address the range of challenges we face today.

Mr. Campbell (Australia): The international humanitarian community is increasingly confronted with complex and changing crises. In response we must work to increase the effectiveness of humanitarian assistance and to accurately measure its impact. There is a moral and operational imperative to maximize the impact of humanitarian assistance. We should be able to demonstrate that we are doing so.

Australia supports the central and unique role of the United Nations in providing leadership and coordination of international humanitarian action. We were pleased that the report of the Secretary-General's High-level Panel on United Nations System-wide

Coherence underlined the importance of the role of the United Nations in humanitarian action and gave greater impetus to the humanitarian reform agenda. The humanitarian reform agenda, led by the Office for the Coordination of Humanitarian Affairs (OCHA), has an integral role to play in improving humanitarian response capacity, coordination and financing. Australia supports those efforts and commends the progress in improving United Nations coordination and enhancing the impact of humanitarian assistance. But there is still work to be done to continue to improve effectiveness and to address key challenges associated with humanitarian action. I would like to highlight a few areas where Australia believes we must continue to focus our collective efforts.

The humanitarian coordinator system is a critical part of the reform agenda. We have joined others in calling for the humanitarian coordinator system to be made stronger, and we wish to acknowledge the changes and improvements that have been made. We encourage OCHA to continue to develop the system, including through the selection and training of humanitarian coordinators and resident coordinators. It is important that the cadre of people available for deployment be further developed and deepened; in doing this we encourage active efforts to improve the gender balance of the pool.

Steps to improve the response capacity of the United Nations system and of individual agencies in key sectors are also important. In that regard, we welcome the development of the cluster leadership approach and were pleased to contribute to the global cluster appeal. While there is still work to be done to develop the cluster approach, we have seen the positive impact it can have — for example, in the response to earthquakes in Pakistan and Yogyakarta. The cluster approach is also a useful mechanism to address major shortcomings in response capacity globally. We urge OCHA and others in the humanitarian community to continue to strengthen the cluster approach.

Financing is also an important pillar of the humanitarian reform agenda. The Central Emergency Response Fund (CERF) has had a positive impact on humanitarian response. Australia provided $A10 million to CERF, and we are pleased with the results delivered so far. However, there is still work to be done to improve procedures and to strengthen comparative-needs assessment between underfunded emergencies. We encourage OCHA to continue to strengthen CERF and to broaden its donor base, including by attracting private donors and contributions from a wide range of Member States.

Australia strongly supports the efforts by OCHA to build partnerships with, and within, the broader humanitarian community. In our view, partnerships are now a fourth pillar of the humanitarian reform agenda. We believe the forum held in July to bring together all humanitarian actors was an important step. The agreements that arose from it were positive. We look forward to hearing more about how they are to be taken forward and about the impact that stronger partnerships will have on humanitarian preparedness and response. We would add that military and civilian police relationships are also important in humanitarian response, and efforts should be made to strengthen coordination with those actors.

Violence continues to be deliberately directed against civilian populations and aid workers in emergency situations. That will not be stopped without the full support of the United Nations and its Member States. In particular, it is of grave concern to Australia that gender-based violence continues to be a real and significant problem during, and in the aftermath of, humanitarian emergencies. We call on the United Nations to strengthen its resolve to combat gender-based violence. It is vital that we focus the necessary resources and efforts on preventing and prosecuting gender-based violence, alongside working to address the causes of such violence. We urge all Member States to ensure that their national laws and judicial and community mechanisms are adequate to prevent, address, promptly investigate and prosecute gender-based violence, and to support the victims of such acts.

Before I conclude, I would like to express Australia's appreciation to Under-Secretary-General Jan Egeland for the work he has done over the past three years at the helm of OCHA and as Emergency Relief Coordinator. While Mr. Egeland will no doubt be looking forward to new challenges, we believe he can reflect with pride on his achievements and on the impact he has had on bringing humanitarian assistance to those in need and on strengthening the system to respond. On behalf of the Australian Government, I would like to convey my sincere congratulations to Mr. Egeland for his outstanding contribution to the United Nations system and to international development. We wish him well for the future.

Finally, let me reiterate Australia's strong support for the current humanitarian reform agenda. The reforms are beginning to demonstrate their potential, and our challenge is to ensure that over the coming years that potential is realized. We must ensure that the momentum and progress achieved thus far are sustained, and we must look to other ways that we can continue to improve the impact of humanitarian assistance.

Mr. Mahjoub (Sudan) (*spoke in Arabic*): At the outset, I would like, on behalf of my delegation, to express my gratitude to the Secretary-General for his reports (A/61/79 and A/61/463) submitted under agenda item 69, entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", and the reports (A/61/85, A/61/87 and A/61/314) submitted under sub-item 69 (a), entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

As we debate this important item, we cannot fail to commend all those who work in the humanitarian field for their sacrifices in reaching those in need. My delegation highly appreciates the efforts made by the United Nations and its specialized agencies and by other organizations. We express our particular appreciation to the Office for the Coordination of Humanitarian Affairs (OCHA). We also wish to express our gratitude for the contributions and relief assistance extended to the Sudan during emergencies and crises.

My delegation would like to share with the Assembly our country's experience in the area of humanitarian assistance — a pioneering experience that could benefit the international system and groups working in the humanitarian field and enhance their ability to address such situations in a way that ensures maximum efficiency and optimal benefits while adhering fully to the principles that must govern humanitarian efforts.

In addition to its excellent experience over the decades with donors of humanitarian assistance, my country continues to honour its international and regional obligations. The Sudan is host to one of the largest groups of refugees in Africa. With unconditional generosity, our people give all they can to alleviate the suffering of refugees, sharing our meagre resources with them and providing them with shelter, food and safe haven. My country has also contributed to alleviating the effects of earthquakes in various regions of countries near and far. In addition, we have contributed to easing the suffering of those affected by the tsunami in South-East Asia, as an act of solidarity with peoples who have the closest of ties to the Sudan.

Humanitarian assistance efforts must take into account the need for close and direct cooperation and coordination with Governments and national organizations. They must also take into consideration the sovereignty of States, dealing with them in a way that maintains the dignity of their peoples. The fact that a country has fallen victim to a humanitarian crisis and requires relief and assistance from the international community in no way means that its cultural specificities and national dignity can be infringed upon. In that regard, my delegation calls for more efficient coordination among national, regional and international agencies working in the field so that responsibilities and tasks can be shared in order to provide for better prepared and more timely responses. My delegation also calls for full commitment to the guiding principles for humanitarian activities, which were clearly established in General Assembly resolution 46/182 and reiterated in subsequent resolutions. There is a need to discuss ways of strengthening respect for, and implementation of, those principles.

A review of the Sudan's experience with humanitarian assistance reveals certain facts that the General Assembly must consider. In many situations, over 60 per cent of assistance resources have been allocated for administrative costs. That has robbed humanitarian efforts of credibility and placed those in need at the bottom of the list of priorities of humanitarian efforts. It is therefore natural that we urgently and seriously consider the best ways to reduce administrative costs and rectify the current situation. At the same time, national capacity-building and the participation in humanitarian relief efforts of national voluntary organizations must be given the necessary attention and resources to allow them to immediately address disasters. They are more familiar with the circumstances of the societies affected and are capable of playing a cost-effective role, saving important resources that could be directed towards those in need.

The focus of humanitarian operations on direct food assistance must be reevaluated, so as to avoid

destructive effects on the economy and on production capacities and local food sources. It can encourage farmers and producers to turn away from production, thereby expanding the cycle of poverty and creating unwise patterns of consumption, deepening crises and slowing the recovery process. In that connection, my delegation would like to cite a study conducted by concerned parties in the Sudan, which confirmed that over the past 10 years 80 per cent of food assistance has come from abroad. That pattern has a negative long- and medium-term effect on the productive capacities of affected countries. We therefore reiterate the importance of purchasing foodstuffs on local markets, assisting recovery and making up losses in gross domestic product resulting from halts in production in areas affected by disasters and crises.

Those who follow humanitarian assistance efforts in various parts of the world will note that such undertakings are governed by the wishes of donors rather than by the real needs of affected populations. The situation must be addressed quickly in order to ensure the effectiveness and benefits of humanitarian assistance.

Moreover, close coordination, transparency and accountability require cooperation, in a spirit of partnership, between donor and recipient countries. It is indeed necessary that in such a partnership donor countries provide recipient countries information about their financial contributions to humanitarian groups and organizations working in those States, enabling recipients to track expenditures and enhancing accountability vis-à-vis those in need and all parties concerned. Humanitarian relief operations and assistance must take place in an environment of complete transparency, and must not be used as a pretext to implement other agendas in the guise of humanitarianism. Otherwise, humanitarian efforts will be meaningless and serve to manufacture and deepen crises, thereby sapping the overall credibility of the United Nations.

In conclusion, my delegation would like to take this opportunity to reiterate its full readiness to cooperate unreservedly with the United Nations and all other parties concerned, with the full transparency and openness necessary for successful coordination and cooperation in the area of humanitarian assistance, with a view to providing unconditional assistance to those in need in an environment free from hidden agendas and complexity so as to achieve the goals of human solidarity reflected in the Charter and other United Nations commitments.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation would like to express its appreciation to the Secretary-General for the reports he has submitted in connection with the agenda item under consideration. I wish to make the following remarks under that item.

Over the past year there have been frequent occurrences of various kinds of natural disasters and emergencies all over the world. Over 92,000 precious lives were lost, nearly 30 million people became homeless and over 100 million people lost their livelihoods. Furthermore, the infrastructure of affected countries was seriously damaged. All of that has caused enormous suffering and huge economic losses to the Governments and the peoples of affected countries. The frequent occurrence of natural disasters calls for increased humanitarian assistance from the international community and poses a great humanitarian relief challenge to the United Nations system.

As required by resolution 60/124, the Secretary-General launched the Central Emergency Response Fund (CERF) in March this year, with a view to scaling up resources so that the United Nations system can more effectively help affected countries to cope with various natural disasters and begin recovery and rehabilitation work in a timely manner. Thanks to the joint efforts of all parties, the Central Emergency Response Fund has raised $273 million since its establishment, and has provided timely and effective disaster relief assistance to victims of major disasters in response to emergencies in several crisis regions, thereby registering great progress on the way towards reaching the goals it has set for itself.

The Chinese Government has actively participated in and supported reform in the area of the humanitarian relief provided by the United Nations system. We have pledged $1 million to the Central Emergency Response Fund as a concrete effort to help alleviate the suffering and losses of the Governments and peoples of disaster-stricken countries. The Chinese delegation believes that the establishment of the Central Emergency Response Fund is a major achievement in the reform of United Nations humanitarian activities and will enhance the capability of the United Nations system to respond to the need for

humanitarian assistance and to provide necessary start-up funds for major emergency disaster relief operations.

That being said, the Fund's resources amount to only 5 per cent of the total sum that the United Nations plans to raise through the consolidated appeal mechanism. Thus, it can in no way replace the traditional role played by that mechanism. The Chinese delegation calls upon the international community, and developed countries in particular, to make greater contributions to the Central Emergency Response Fund so that it can reach its target of $500 million at an early date. We also hope that United Nations organizations and agencies involved in humanitarian assistance will continue to use the consolidated appeal mechanism and to explore various avenues so as to provide further relief resources for the economic recovery and rehabilitation of affected countries.

Given the frequent occurrence of natural disasters and emergency situations in recent years, an increasing number of organizations and agencies have participated in humanitarian assistance efforts at the international, national and non-governmental level. In addition, the coordinating role of the United Nations in the area of humanitarian assistance is receiving increasing attention from all sides. It is therefore necessary to further strengthen the leading role of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), in order to enable it to play its coordinating role more effectively. The mandates and responsibilities of various organizations and agencies should be clearly defined, and work overlap reduced, so that recipient Governments can benefit to the maximum from international assistance in their post-disaster relief, recovery and rehabilitation endeavours.

At the national level, we welcome the establishment and improvement of the humanitarian coordinator system within the United Nations. Coordinators should receive necessary training and guidance so as to enhance their capacity to provide relief and on-the-ground coordination and, under the leadership of the Governments of affected countries, provide more technical support for relief activities.

The Governments of affected countries should play a leading role in all aspects of relief activities, as well as in planning for recovery and rehabilitation. Strengthening international and regional cooperation is an effective means for affected countries to cope with natural disasters and to enhance their capacity to reduce and prevent disasters. In providing humanitarian assistance to affected countries, the United Nations and the international community should always adhere to the guiding principles of humanity, neutrality and impartiality, make a full assessment of the severity of disasters and disaster relief capacities of affected countries and provide assistance based on the actual needs and priorities of those countries.

Furthermore, when relief assistance begins, consideration should be given to the transition to recovery and rehabilitation. In the process of project planning and implementation as well as in the allocation and use of resources, the wishes, autonomy and ownership of affected countries should be fully respected, and mutual communication between donors and affected countries should be strengthened so as to ensure the effectiveness of assistance.

The United Nations enjoys a clear advantage and possesses rich experience in disaster relief, disaster prevention and disaster reduction. In the future, it should continue to strengthen and develop partnerships with other international organizations, financial institutions and non-governmental organizations engaged in humanitarian relief work. The international community should give humanitarian assistance greater priority in terms of resources, mechanisms and technology and use sophisticated scientific and technological means and information to help disaster-prone countries and regions to establish early-warning systems, enhance their supply-stocking and rapid deployment capabilities as well as their ability to prevent and respond to natural disasters.

China is a disaster-prone developing country. Through years of study and practice, it has established a fairly comprehensive disaster-prevention and disaster-reduction system suitable to our national conditions. The Chinese Government attaches great importance to international cooperation in the humanitarian field and, in response to requests by Governments of affected countries and appeals by the international community, has actively participated in major international emergency relief operations. To the extent possible, it has provided some affected countries with timely humanitarian assistance, in cash and in kind, through both bilateral and multilateral channels, including food aid, emergency disaster relief and assistance in the settlement of refugees and in post-disaster reconstruction.

Last year, China successfully hosted the Asian Conference on Disaster Reduction and the China-Association of South-East Asian Nations seminar on a tsunami early warning system. In the aftermath of the powerful earthquake in South Asia, China provided relief assistance to Pakistan. This year, China actively participated in the relief operation after an earthquake hit Yogyakarta province in Indonesia. Those examples fully demonstrate the compassion, support and care of the Chinese Government for the Governments and the peoples of affected countries, as well as its firm commitment to international humanitarian cooperation. As a member of the developing world, the Chinese Government will continue, as always, to support the efforts of the United Nations and the international community in the areas of disaster relief, reduction and prevention. We are willing to exchange and share experiences and lessons with other countries and to carry out more wide-ranging international cooperation in the field of disaster management and emergency relief and assistance.

Mr. McNee (Canada): Over the course of the past year, international humanitarian action has brought hope and comfort to millions of people worldwide. United Nations agencies and other actors continue to make concerted efforts to ensure more effective, coordinated and timely humanitarian action in response to crises. In many respects, we can look back on the past year as one of important progress and positive change. Key elements of the humanitarian reform agenda are becoming a reality. But we cannot take that progress for granted. Our collective humanitarian-response capacity continues to be stretched by ongoing crises that affect the lives of millions of people.

Despite some positive developments, residual United Nations inter-agency rivalries persist, and cooperation with non-governmental organizations (NGOs) and other partners is often strained. Conflicts such as those in Darfur, the Democratic Republic of the Congo, northern Uganda and Sri Lanka continue to remind us of the toll that violence takes on civilian populations. Earthquakes in Pakistan and Indonesia serve as potent and deadly reminders that natural disasters cannot be prevented, but that we can, and must, do better in terms of investing in disaster management and risk reduction. All Member States have an important stake in ensuring that the United Nations is successful in its efforts to strengthen the global humanitarian system. We have a collective responsibility to ensure that the positive momentum seen to date on that agenda is maintained over the long term.

In that respect, Canada continues to place importance on reinforcing the coordination of humanitarian action within the United Nations. Key issues related to enhancing response, capacity and the assessment of needs require our attention and commitment. I would like to outline a number of Canada's priorities in that regard.

First, we applaud United Nations efforts to introduce the cluster coordination system as a means of improving humanitarian response by promoting stronger inter-agency cooperation, including cooperation with other humanitarian organizations. As a collaborative mechanism, it establishes centres of accountability to ensure that needs are appropriately identified and that action is taken to address key gaps in response capacity. Nevertheless, we have noted a number of key areas where progress has been slow to come, specifically in the global protection and early recovery clusters.

We recognize that it is still early days in terms of evaluating the cluster approach. It will take time for the respective United Nations entities to build their capacity and to support humanitarian coordinators in that ensuring that more timely, predictable and effective humanitarian action is achieved. However, we expect cluster coordinators to exercise the leadership and cooperation required to overcome challenges in operationalizing the cluster approach. Moreover, it is vital that the Office for the Coordination of Humanitarian Affairs (OCHA) work with cluster leaders to buttress their coordination capacity, to establish benchmarks against which States can measure progress and to monitor implementation.

Secondly, in order to ensure more effective humanitarian response we must strengthen our ability to assess and monitor humanitarian needs. The Good Humanitarian Donorship initiative recognizes the importance of allocating humanitarian funding in proportion to needs as a guiding principle. Yet, if we are to target funds where needs are greatest, it is essential that we can agree on how to identify those needs and how to best address them in a manner that is consistent across crises. Improving the evidence base required for decision-making must therefore become a

higher priority among United Nations entities and other humanitarian partners.

Clearly, such a development would have important implications for key initiatives such as the Central Emergency Response Fund. Canada has made a significant contribution to the Fund this year; it is, in our view, an important means of providing more timely, flexible and predictable funding in response to natural disasters and complex emergencies. That is at the heart of the Good Humanitarian Donorship initiative. But for the Fund to achieve its objectives, its allocations need to be guided by good evidence-based analysis, needs assessments and priority-setting by country teams under the leadership of humanitarian coordinators. OCHA should also work to establish a results framework for the Fund, in order to clearly demonstrate its impact on improving the equity and effectiveness of humanitarian assistance.

Thirdly, I wish to underscore the importance of strengthening the role and capacities of resident and humanitarian coordinators. High quality and experienced humanitarian coordinators and resident coordinators who can provide a comprehensive vision for the humanitarian presence in the field, while engaging relevant authorities when necessary, are essential. Without strong individuals playing these roles, greater individual agency capacity and access to resources will prove ineffective. Canada welcomes efforts by OCHA to broaden the pool of potential humanitarian coordinators to include individuals from other United Nations agencies and non-governmental organizations, and the strengthening of the capacity of humanitarian and resident coordinators through continuous training.

Fourthly, we must continue to have a strong cadre of able staff prepared to keep the protection of civilians at the forefront in their discussions with relevant authorities, including non-State actors where appropriate. In complex emergencies, flagrant violations of international humanitarian law are all too often the norm and not the exception. Rampant sexual and gender-based violence remains a reality in too many contexts.

The United Nations protection deployment capacity established by OCHA is a welcome and much needed common service. Protecting civilians remains fundamental to effective humanitarian action. The protection deployment capacity is helping to increase agency capacity to monitor, identify and develop more timely strategies to address violations of human rights and humanitarian law and to protect people. However, the protection deployment capacity is only meant to augment regular agency activities for protection and, therefore, we expect that relevant United Nations agencies will accelerate efforts to strengthen their internal capacities to address this critical need.

Fifthly, greater emphasis needs to be placed on how we can enhance civil-military cooperation, recognizing the value and expertise of civilian and military actors in specific contexts, and respecting that humanitarian action should be largely civilian led. In the context of a natural disaster response, Canada believes the United Nations must be more proactive in identifying gaps in civilian capacities that may best be filled by military and civilian defence assets. Through OCHA, the United Nations must provide Governments with better guidance on the standards that those offering such assets must meet, develop more robust standby arrangements to ensure effective and coordinated responses, and mitigate duplication with various regional entities developing parallel processes.

(*spoke in French*)

Finally, as we encourage more timely and effective humanitarian responses in crisis situations, our Governments must remain acutely aware that the safety of those who do this work is increasingly at risk. Deliberate attacks on United Nations and associated personnel persist, with deadly consequences. Between mid-July and the end of August of this year, 28 aid workers were killed while trying to help civilians in need. A recent study has highlighted that attacks against aid workers are increasingly politically motivated and that national humanitarian staff are more at risk than ever before.

There must not be impunity for those who target and attack aid workers. I urge those Member States who have yet to sign or ratify the 1994 Convention on the Safety and Security of United Nations and Associated Personnel to do so. Member States must investigate and prosecute the perpetrators of such acts whenever and wherever they occur.

At the same time, humanitarian aid agencies must improve their security management, training and resources, including for national staff. They must better collaborate with one another on security related issues

and include security in their programmes as a cost of doing business.

In conclusion, I wish to reiterate Canada's commitment to efforts aimed at strengthening the humanitarian system. Successful humanitarian action is an important component of the wider United Nations reform agenda, including proposed reforms to the international peace and security architecture. This also applies to efforts to enhance the United Nations human rights capacity and to effectively address the transition from relief to development, through mechanisms such as the Peacebuilding Commission. In this regard, we are pleased to see that the report of the High-level Panel on United Nations System-wide Coherence has been completed and look forward to considering its recommendations closely, including those in the humanitarian field.

The reality is that we cannot prevent every crisis. Consequently, when the need arises, we must be confident that we can respond effectively and quickly to populations in need.

In closing, we would like to pay tribute to Jan Egeland, who has played such a fundamental role in driving the humanitarian reform agenda forward. Canada looks forward to continuing to work closely with the Emergency Relief Coordinator, United Nations entities and humanitarian partners and Member States to further strengthen the humanitarian system. In doing so, it is important that through our collective efforts we can make real and lasting change to the lives of people affected by crisis. Our collective and sustained commitment and leadership is more critical than ever.

Prince Mishal Bin Abdullah Bin Abdulaziz Al-Saud (Saudi Arabia) (*spoke in Arabic*): I wish at the outset to thank His Excellency the Secretary-General for his report entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development" (A/61/314).

Humanitarian assistance to counter natural and man-made disasters is a noble and essential activity; it reflects international solidarity and the unity of mankind. Strengthening this humanitarian activity and increasing its effectiveness are an obligation and a challenge to the international community owing to the vast human and financial losses these catastrophes entail. In this context, we must benefit from the experience of the numerous States that have faced natural disasters, as well as from the information that exists on capacity that is available at the regional and international levels.

The Kingdom of Saudi Arabia has consistently called for strengthened understanding and close relations among peoples in order to highlight the great importance of international human solidarity if we are to create a world where well-being, stability and security prevail, free from threats or dangers. Saudi Arabia continues to be a generous country that has provided generous assistance out of human solidarity. It has also provided effective assistance and emergency aid in various parts of the world and has become the largest donor for the benefit of peoples and countries affected by disasters. It has thereby sent a message of love, amity, solidarity, support and cooperation to the world.

The total contribution of the Kingdom of Saudi Arabia in various areas of emergency response from 1975 to 2004 exceeds $4,986,000,000; this does not include our support for the reconstruction effort in Iraq, which is in excess of $1 billion. A further $430 million in assistance was provided to countries and peoples affected by the earthquakes and the tsunami in Asia, and the Saudi people gave a further $90 million in direct contributions. In addition, the Kingdom of Saudi Arabia has provided $2.5 billion to the brother country of Lebanon.

Saudi Arabia's humanitarian assistance has not been limited to bilateral or direct assistance. We have also participated in international humanitarian efforts through specialized programmes and agencies. We have supported regional and international development institutions by providing capital of more than $24 billion. The Kingdom of Saudi Arabia has also pledged $1 million to the Central Emergency Response Fund, in addition to $4 million from the Saudi Development Fund to initiatives to help persons affected by natural disasters under the auspices of the International Monetary Fund.

If we are to respond realistically and seriously to the frustration and despair of people suffering from hunger, poverty, disease, ignorance, underdevelopment and debt, we must mainstream the concepts of humanity, equality, justice and sustainable development in all areas — health, education, the economy and society — with a view to achieving

stability and enhancing international peace and security.

Thus, there is a need to establish a partnership based on genuine solidarity, to forge development acts between North and South, and urgently to increase official development assistance. We must also address the problem of the debt of poor and middle-income countries by increasing foreign direct investment and technology transfer to the largest possible number of developing countries and working seriously to liberalize international trade.

The Kingdom of Saudi Arabia has joined in international efforts aimed at ending poverty and hunger, by providing economic and financial assistance through its various national funds, through international and regional institutions, as well as through bilateral agreements with developing countries. Here, the Kingdom is guided by its deep belief in peaceful coexistence, human solidarity and constructive cooperation for the good of humanity as a whole.

The total amount provided by the Kingdom of Saudi Arabia during this period, through bilateral and multilateral channels, in grants and development assistance under favourable terms exceeds $83.7 billion, which represents 4 per cent of our annual gross domestic product, the largest such percentage in the world. Eighty-seven developing countries on several continent have benefited from this assistance. This assistance is aimed at supporting the long-term economic and social development of these countries and helping them develop their infrastructure and the vital sectors of health, education, water and agriculture, for example by helping them dig wells and build dams. With regard to alleviating the debt burden of a number of countries, the Kingdom of Saudi Arabia has cancelled more than $6 billion owed by the neediest among developing countries.

We know that oil is an important strategic and economic commodity for developing countries and for consumer countries alike. The Kingdom of Saudi Arabia therefore acts prudently and impartially to protect the interests of producer countries without overlooking the interests of the broader international community. It acts tirelessly to ensure the stability of oil prices in order to safeguard lasting economic growth worldwide.

In order to strengthen cooperation in this field, the Kingdom of Saudi Arabia, on instructions from the Custodian of the Two Holy Mosques, King Abdullah Bin Abdelaziz Al Saud, has founded the International Energy Forum, whose secretariat is hosted in Riyadh. The Forum is intended to discuss various energy topics and opportunities for cooperation and dialogue between consumer and producer countries and strengthen such cooperation to ensure the stability of oil markets and world economic growth for the well-being of all.

Optimal use of the world's enormous economic resources could bridge the huge gap between rich and poor countries, put an end to hunger and disease and support development in all its aspects. Similarly, finding just solutions to the various problems that weigh on international peace and security can strengthen the security and peace to which the peoples and notions of the world aspire.

Mr. Cherginets (Belarus) (*spoke in Russian*): Humanitarian operations have always been an important element of the activities of the United Nations, and the Organization is closely identified with them in countries and regions in need of international assistance. In recent decades, these operations have been at the forefront of efforts to help victims of humanitarian disasters.

Unfortunately, such crises are caused not only by natural disasters, as was in the case in South Asia following the tsunami or the earthquake in Pakistan; more frequently, the international community is also called upon to respond to acute humanitarian needs of people in countries suffering from armed conflict. Recent years have proven to be a serious test of the capacity of the United Nations to organize and coordinate international humanitarian assistance for needy countries and regions.

How does the Organization deal with this task? We feel that it is still too early to give it high marks here. The Secretariat and the specialized agencies take too much time in assessing country needs and in bureaucratic formalities that obstruct the tasks of humanitarian organizations. As a result, some States prefer to provide humanitarian assistance on a bilateral basis, without involving the United Nations machinery.

In this connection, we welcome and support the efforts of Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief

Coordinator, to strengthen United Nations coordination mechanisms and the Organization's capacity to respond to humanitarian crises as they arise.

In December 2005, the Republic of Belarus was one of the sponsors of General Assembly resolution 60/124, establishing the Central Emergency Response Fund. We hope that, through the joint efforts of Member States, we will be able in the near future to attain the planned amount of $500 million for the Fund. This is an important undertaking that will enable the Organization to respond to the needs of people suffering from conflict and natural disasters.

There is an important trend on the part of United Nations specialized agencies and funds to work out a strategy for humanitarian activities. As a member of the Executive Board of UNICEF, Belarus supported a proposal in September 2006 for a three-fold increase in UNICEF's emergency programme, from $25 million to $75 million. We noted with concern UNICEF Board information that, in July, during the military action in southern Lebanon, the Central Emergency Response Fund was the sole source of funding for UNICEF's response and humanitarian assistance to Lebanese children. Our delegation supports the leadership of UNICEF, the United Nations Population Fund and other organizations in their desire to strengthen their potential to participate in humanitarian operations.

The Republic of Belarus seeks to be an active participant in international humanitarian operations, regardless of all the difficulties of its transitional period, which includes a large financial expenditure to clean up the man-made catastrophe of the Chernobyl nuclear power plant. Belarus was one of the first to respond to the misfortunes in the Indian Ocean area in 2004 and granted assistance, free of charge, to the affected States. Nor did we remain a bystander in the recent conflict in the Middle East; in the very heat of the war, Belarus took in children from affected States and provided heavy aircraft to carry significant assistance cargo.

We intend to develop our cooperation with the United Nations in the mitigation of man-made disasters. Currently, a bilateral draft agreement is being drawn up between Belarus and the United Nations on measures to speed up the entry and exit of transit cargo for emergency assistance, as well as staff needed for emergency procedures. This agreement will help simplify the movement of humanitarian cargo in Belarus and across the territory. We also feel that the conclusion of such an agreement, a new practice between Belarus and the United Nations, will constitute an effective contribution by our country to speeding up the delivery of international humanitarian assistance to people affected by disasters.

The twentieth anniversary of the Chernobyl disaster cannot be forgotten. We are grateful to the Governments of Japan, Switzerland, Italy, Germany, the United States and Ireland, and to the International Atomic Energy Agency, the Red Cross and other international organizations; regardless of the changed priorities of international cooperation for Chernobyl and the socio-economic recovery of the affected territory, they continue to devote attention to rendering humanitarian assistance to the victims of the disaster.

The provision of mobile medical laboratories for remote populated areas and support for national efforts in monitoring the state of health of the affected population are important to us even today, 20 years following the catastrophe. We are particularly grateful for the efforts of the many international non-governmental organizations that serve as catalysts for international assistance to overcome the dire legacy of Chernobyl, and we express the hope that work on humanitarian support for the affected population will be continued on the part of the international community.

Today's discussion eloquently illustrates how much still remains to be done by the United Nations and by the entire international community in the humanitarian area alone. We strongly regret the attempts by some large States to turn the General Assembly into a forum for political persecution and public punishment of States not to their liking, not believing in the strongly urged single universally applied model of development.

In terms of human rights, for example, we see such actions as displacing the strengths and resources of Governments from the real and essential problems of the people of our planet to stir up instead confrontation and mistrust. Those States pursue a goal that can easily be perceived as deflecting the attention of the international community from their own political criminal aggression with respect to independent States.

If all the resources set aside by a number of countries to support political opposition in Belarus and other States not to their liking — which is a gross

interference in the internal affairs of States — were directed instead towards United Nations humanitarian work, we would then be able to attain the planned level of $500 million for the Central Emergency Response Fund. It is high time that responsible politicians gave this some thought.

In conclusion, I would like to thank Secretary-General Kofi Annan for his decades of work for the world community and to congratulate the Secretary-General-designate, Mr. Ban Ki-moon, on his election to this high and very responsible position. We wish him every success in his endeavours on behalf of the peoples of the world.

Ms. Blum (Colombia) (*spoke in Spanish*): I wish to thank the Secretary-General for his report on strengthening of the coordination of emergency humanitarian assistance of the United Nations (A/61/85).

In Colombia, humanitarian assistance to vulnerable populations is one of the State's main priorities. The Presidential Agency for Social Action and International Cooperation coordinates a comprehensive programme of action for the displaced population. The focus of the programme centres on the dignity of individuals and restoring the rights of displaced persons. Their social and economic reintegration into their places of origin or places of relocation is also a high priority of the Government.

The programme is funded by national resources and international cooperation resources. Its components include emergency assistance, which has covered 82 per cent of affected persons. The return of families has been carried out with the support of the State and of various agencies, taking into account the humanitarian principles of voluntary return and security. Creating conditions for the social and economic stabilization of affected persons through measures such as credits for productive projects and technical training, as well as supplementary support in the areas of health, education and housing, are basic components of the national policy in this area.

Several years ago, we incorporated into our law the Guiding Principles on Internal Displacement. Their adoption is among the recommendations contained in the Secretary-General's report.

With regard to the phenomenon of displacement, Colombia believes it is essential that analyses be made on the basis of objective, reliable and verifiable data. That is why we are curious about the figure, cited in the Secretary-General's report, relating to internally displaced persons in my country. The report indicates neither the methodology followed to arrive at that estimate nor the statistical sources used. According to official figures, the number of registered displaced persons is 1,875,000 for the period 1998-2006. In Colombia, despite the complexity of this phenomenon, there has been a progressive and substantial reduction in the annual number of new displacement cases. That reflects the positive results of the Government's democratic security policy and social development policy. The number of newly displaced persons added to the national registry decreased from 425,000 in 2002 to 169,000 in 2005, and so far in 2006 it has fallen to 90,000.

My delegation wishes to emphasize that it is important that humanitarian assistance be guided by the principles of neutrality, impartiality and humanity, that it correspond to the needs of countries and therefore that it supplement Governments' efforts to improve their response capacity and their institutional infrastructure in this area. That is the only way to deal effectively with emergency situations and to guarantee sustainability when it comes to restoring the social conditions of those suffering from the effects of humanitarian emergencies.

For those reasons, among others, my delegation believes that the thematic group approach, or cluster approach, is inappropriate as a model for humanitarian assistance. The main objective of the support provided by United Nations agencies must be strengthening national capacities to deal with emergencies. In the cluster approach, the realities and specific conditions in countries requiring humanitarian assistance are not recognized. In Colombia, for example, not all of the agencies participating in this area belong to the United Nations; some of them are not even part of the United Nations system.

An approach such as the one proposed would weaken the role of Governments, because they could be replaced by agencies as coordination entities. It is Governments and States that should coordinate humanitarian assistance, with the participation of agencies — not the other way around. Strengthening the role of the United Nations must not come at the expense of the role of Governments in this sensitive area. Therefore, any implementation of a model or

programme in a country must have that country's consent. Likewise, any humanitarian reform initiative must be based on an intergovernmental mandate, which in turn must always respect the sovereignty and territorial integrity of States.

I wish to take this opportunity to pay a special tribute to the World Food Programme for its cooperation with the Government of Colombia in assisting displaced persons. Outside the United Nations system, we wish to commend the work of the International Organization for Migration and the International Committee of the Red Cross. The example set by the efforts of those entities should be the rule, not the exception, in the area of humanitarian assistance.

Accordingly, the financing of humanitarian assistance should be channelled towards the agencies and institutions that work best with States, have the best performance record and therefore contribute most effectively to the strengthening of national institutions and their implementation capacity. Thus, resources could be allocated to the entities whose work is most effective and efficient.

The Secretary-General's report refers to next steps, in which engagement in humanitarian assistance would be broadened. My delegation wishes to emphasize that it is important that the terms of such a broadening be negotiated with the State in question. We recognize and are grateful for the support of the entities working in this area.

At the same time, we agree with the report's recommendation that national leadership be strengthened with a view to taking the required actions. That would help to prevent the politicization of humanitarian assistance and ensure full compliance with its guiding principles. Otherwise, the system's response capacity would be weakened and could suffer a loss of legitimacy and credibility

Establishing operative frameworks that take countries' specific situations into account would be positive for the system. Short-term successes must not cause us to lose the perspective of sustainability and permanent capacity for dealing effectively with emergency situations and providing timely humanitarian assistance.

Mr. Abdul Azeez (Sri Lanka): My delegation thanks the Secretary-General for his informative report (A/61/85) presented to the General Assembly under this agenda item. We also take this opportunity to express our special thanks to President Clinton, United Nations Special Envoy for Tsunami Recovery, for his commitment and leadership in coordinating the ongoing international efforts, and to all the stakeholders that supported us in the tsunami reconstruction and rehabilitation efforts in Sri Lanka. We also welcome the recent initiative launched by President Clinton — Mangroves for the Future — and supported by the International Union for the Conservation of Nature and Natural Resources, known also as the World Conservation Union, the United Nations Environment Programme and the United Nations Development Programme.

The socio-economic impact of the tsunami was of great consequence as it compounded previously existing vulnerabilities. Due to the timely response of the Government, local communities, local non-governmental organizations and the private sector, bolstered by the United Nations and other international and intergovernmental organizations, the country recorded no additional deaths owing to tsunami-related diseases or lack of delayed medical treatment.

With international support, the Government carried out immediate repairs of basic infrastructure, such as major pipelines and water resources, roads, bridges, electricity and telephone lines. National and foreign military personnel helped in the rescue operation, the identification and burial of the dead and debris clearance. Nearly 600 schools and places of worship provided emergency shelter and food aid was provided to 910,000 people. A compensation scheme for victims was also put in place.

The past decade has witnessed a significant increase in human and economic losses caused by natural disasters. The frequency and severity of these extreme events can be traced to several factors, the main one being climate change. Increased vulnerability throughout the world, caused by a number of development practices, also remains a significant factor. The effects of climate change and the increasing deterioration of the environment, particularly deforestation and the reduction of both the quantity and quality of water, represent a major challenge in the near future.

Vulnerability to disasters also depends on human behaviour. At issue is the degree to which a socio-

economic system is either susceptible or resilient to the impact of natural hazards. Such susceptibility or resilience is determined by a number of factors such as awareness of the hazards, the condition of human settlements and infrastructure, public policy and administration and the wealth of a given society and its organizational abilities in all fields of disaster and risk management. A socio-economic system's strength also depends largely on development practices that do not factor in any possible susceptibility to natural hazards. Risk reduction refers to activities taken to decrease both vulnerable conditions and their causes, especially those related to drought, floods and landslides.

The Government of Sri Lanka has projected that it would take at least three to five years to complete the task of rehabilitation and reconstruction and to fully restore the services and livelihoods affected by the tsunami. This effort will cost approximately $2.2 billion. The international community has committed $2.1 billion, out of which roughly $600 million has been disbursed. In addition, debt relief or moratorium, and balance of payments support, have also been received. Based on a clear assessment of the experience so far, the Government is in the process of identifying remaining gaps and taking corrective measures to ensure the speediest recovery.

Sri Lanka has undertaken an objective assessment of post-tsunami relief, recovery and reconstruction intervention, and has projected the way forward. This exercise was carried out in conjunction with many development partners, resulting in a joint report entitled "Post-tsunami recovery and reconstruction". Equity has been made a primary guiding principle in the tsunami recovery programme, which takes into account both overall poverty alleviation objectives and the special needs of conflict-affected areas.

Given the number of actors involved and the size of the reconstruction needs that have arisen, coordination, monitoring and evaluation have posed a huge challenge. A clear lesson learned from this complex process has been the need for increased communication with the affected communities on vital concerns such as gender mainstreaming, and with national and international partners and agencies on avoiding duplication of efforts.

The delegation of Sri Lanka is pleased to note that the issue of better utilization of resources through improved coordination on the ground is very rightly included as an integral component of the recovery programme. Disaster management has also become a national priority with the creation of a new ministry. A national early warning and protection system has been developed and will be coordinated by the country's meteorological department. Sri Lanka has also identified the importance of building local capacity for timely interventions in the event of natural disasters.

We reckon that the United Nations and international efforts should support but cannot substitute for the efforts by both the Government and local civil society. The imperative of fully utilizing local human resources and local procurement as a means to contribute to national economic development and poverty alleviation should be acknowledged and promoted.

In the recovery and reconstruction process, equity concerns deserve particular attention. It is the shared responsibility of the Government and development stakeholders to ensure that no one is left behind. In this regard, we hope that all pledges will be converted into commitments, thus enabling the Government, assisted by other relevant actors, to coordinate and accelerate the reconstruction and development of areas affected by disasters, and to ensure sustainable recovery of properties, livelihoods, industries and infrastructure.

Sri Lanka is making all efforts to ensure rapid recovery of affected areas and to foster long-term social and economic development. Sri Lanka is resolved to achieve its 21st century growth plan and Millennium Development Goals through empowerment of local communities and strategic coordination of existing Government and non-government stakeholders.

By mid-2006, 56,000 units of transitional shelter were completed by development partners to accommodate the displaced families living in emergency shelters. Of this number, 6,105 units have been decommissioned and at least 5,224 families have moved into permanent shelters. Through a combination of the donor-driven, owner-driven, private sector and group housing programmes, 55,483 houses have already been completed and 40,589 units are under construction. The authors of the tsunami housing policy paper have estimated the number of total housing units required to be approximately 120,000. The recovery process is making positive progress and we are hopeful that we will realize the targets set.

In conclusion, allow me to observe that the tsunami tragedy highlighted to all of us the value of collective action and international solidarity. The

Government and the people of Sri Lanka thank once again all those who have helped us and continue to help us in our recovery programme.

Programme of work

The Acting President: I should like to inform members that there has been a request by the sponsors of the draft resolution contained in document A/61/L.20 that action on the draft resolution be postponed.

The General Assembly will therefore take up sub-item (r) of agenda item 108 at a later date.

The meeting rose at 1.05 p.m.